

**GOODHUE COUNTY EDUCATION DISTRICT BOARD AGENDA**  
**Thursday, May 27, 2021 at 7:00 PM**  
**Via ZOOM**

**AGENDA**

- I. **Call to Order/Adoption of Agenda:** Action
- II. **Consent Agenda:**
  - A. Approval of April 22, 2021 Minutes:

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## GOODHUE COUNTY EDUCATION DISTRICT BOARD

### MINUTES

Thursday, April 22, 2021 at 7:00 PM

Via ZOOM

**MEMBERS PRESENT: Kevin Anderson, Katie Lochner, Jim Wendt, Shane Ryan, Dawn Balow, Holly Tauer  
Cherie Johnson, Jackie Paradis, Cindy Luhman**

### AGENDA

- I. **Call to Order/Adoption of Agenda:** Dawn Balow called the meeting to order. Holly Tauer motioned to adopt the agenda. Jim Wendt seconded, motion carried by roll call vote. Kevin Anderson-yes; Katie Lochner-yes; Jim Wendt-yes; Shane Ryan-yes; Dawn Balow-yes; Holly Tauer-yes.
- II. **Consent Agenda:** Kevin Anderson motioned to approve the Consent Agenda. Jim Wendt Seconded, motion carried by roll call vote. Katie Lochner-yes; Jim Wendt-yes; Shane Ryan-yes; Dawn Balow-yes; Holly Tauer-yes; Kevin Anderson-yes.
  - A. Approval of March 18, 2021 Minutes
  - B. Approval of Claims: Kevin Anderson
  - C. Staff Updates:
    1. **Resignations:** *Hunter Kreidermacher, Paraprofessional-RBEC effective 6/4/21; Jaimie Sutherland, Paraprofessional-RBEC effective 3/31/21; Louise Lapus, SLP - KW effective 6/4/2021.*
    2. **New Hire:** *Amy Engnes, Building Support Specialist - RBEC effective 5/3/2021; Elizabeth Peterson, Paraprofessional - RBEC effective 2021-2022 SY; Michelle Lundberg Bogner, School Psychologist - LC/RW effective 2021-2022 SY*
    3. **Retirement:** *David Craft, Instructional Coach-RW effective 6/30/2021; Rene Arendt, EC Social Worker-District Wide effective 6/4/21; Sarah Nygaard, EC Paraprofessional-ZM effective 5/24/21*
    4. **Leave of Absence Request:** *Candis Rome, School Psychologist-RW, .2 LOA for the 2021-2022 school year. Makenna Holt, School Psychologist - LC, .4 LOA for the 2021-2022 school year.*
- III. **Public Input:** There was no public input.
- IV. **Reports and Communication:**
  - A. **Business Manager Report:** J. Paradis reported on Budget 2020-21 as of 3/31/21. We have received \$21,650,263 or 156.81% of the revised revenue budget, compared to 56.09% at 3/31/20 and 60.46% at 3/31/19. Without the COP proceeds, we have received \$8,228,260 which is 59.60% of the revised budget. We have expended \$8,654,340 or 61.46% of the revised expense budget, compared to 58.14% at 3/31/20 and 57.20% at 3/31/19. ESSER/COVID Funds: We have received an allocation of \$22,097 from ESSER II for COVID related needs. To date, we have received \$80,333, the majority of which has already been spent on PPE, technology and mental health supports. We anticipate an additional allocation coming from ESSER III. Cash flow has improved. We are not looking at a cash flow shortage for the remainder of 20-21. March Bank Rec has been included for your information.
  - B. **Learning Model Update:** C. Johnson reported that there are currently three students at RBEC in quarantine, three students at TV and one staff county wide, no positive cases at this time. Planning on moving staff and students into shortened quarantine on Monday.
  - C. **Summer Programming:** C. Johnson mentioned that districts will be running three types of programs this summer. The first type of programming is a district's General Education Recovery Services (GERS), which may include targeted services K-8 and credit recovery for 9-12. A second type of programming is COVID-19 Compensatory Services (CCS). This is for SWDs to make up for and learning loss. The third type of programming is extended school year (ESY) programming. This is for SWDs to avert a future loss of or impact on learning. The MDE asked districts to send an invitation out to all students. There are approximately 1100 student's county wide that are planning to participate. Besides special education dollars, these programs will also be able to access ESSER funds. These programs will be happening in all member districts and at the cooperative level.
- V. **Old Business:**
  - A. **American Recovery Act Leave:** C. Johnson mentioned that in March of 2021, the American Rescue Plan Act was passed. This American Recovery Act gives eligible employers, like schools, the option to grant

employees 10 additional days of paid leave to be used for COVID-19 related reasons from April 1, 2021 to September 30, 2021. Waiting for guidance and implement retroactively if it works. All RBEC teachers have the availability to teach from home if they are able.

- B. **5RiversOnline Updates:** Included in the board packet is the acceptance letter for 5RiversOnline from MDE. Since receiving the letter, district and site verification and directory information have been completed. Our internal team has also met with the member district stakeholder team for feedback and created a video to share with school employees. Information was also shared at the GCED principals meeting on April 15<sup>th</sup>. The 5RiversOnline website is being worked on. K-6 & 7-12 class descriptions for each program are being drafted at this time and we plan to be ready to start fall of the year.
1. **Online Learning Resolution on Enrollment:** C. Johnson commented at the last Superintendent meeting, that the Superintendents recommended closing enrollment to residents outside of the member districts. C. Johnson mentioned that we may decide in later years, to end this restriction. Jim Wendt motioned to approve the Online Learning Resolution and to restrict to member district resident students. Kevin Anderson seconded, motion carried by roll call vote. Jim Wendt-yes; Shane Ryan-yes; Dawn Balow-yes; Holly Tauer-yes; Kevin Anderson-yes; Katie Lochner-yes.
  2. **5RiversOnline Staffing:** C. Johnson presented information on staffing for 5RiversOnline. We are planning to hire a Principal, we will post internally. If no one applies we will post externally. Goals are to use member district staff first and to post if needed. We plan to wait for enrollment to begin then post, if needed. Principal, Music Teacher and Art Teacher will post now, will wait to post for elementary and secondary teachers unless we exceed student capacity. MN Statute has a secondary class size limit of 40 students and an elementary class size limit of 30 students. We are not planning to staff at this limit but are sharing that information in the event that you are asked. We believe that there will be families that will continue to seek this option because it has been successful for them. Question was asked what the transfer in and out look like. It will be the same as a regular school district enrollment. Students have the option of taking supplementary or full time online courses. Students will still be able to participate in sports with their member district. C. Johnson mentioned that we will plan to have Superintendents sit in on the principal interviews. Dawn Balow motioned to approve the posting of the 5RiversOnline Principal, Art Teacher and Music Teacher positions and post if any other positions are needed. Holly Tauer seconded, motion carried by roll call vote. Shane Ryan-yes; Dawn Balow-yes; Holly Tauer-yes; Kevin Anderson-yes; Katie Lochner-yes; Jim Wendt-yes.

## VI. **New Business:**

- A. **RBEC Staffing:** C. Johnson mentioned the proposed staffing for River Bluff Education Center for FY22 includes a 1.0 Teacher Substitute, 1.0 Paraprofessional Building Substitute, .6 Music Teacher (to be shared across programs) and .6 Art Teacher (to be shared across programs) Holly Tauer motioned to approve the RBEC staffing for FY22. Katie Lochner seconded, motion carried by roll call vote. Dawn Balow-yes; Holly Tauer-yes; Kevin Anderson-yes; Katie Lochner-yes; Shane Ryan-yes; Jim Wendt-yes.
- B. **MA Billing for General Education Students:** C. Johnson mentioned that schools are currently reimbursed for SWDs on MA. Beginning July 1, 2021, the Minnesota Department of Health is proposing reimbursement for students that require health-related services in order to benefit from school, that are eligible for Minnesota Health Care Programs (MHCP) but are not receiving special education services. GCED does all MA billing for all the member districts. C. Johnson will have more information later and will share with the board when she receives it.
- C. **Support Staff Agreement Revision:** C. Johnson mentioned that we are considering hiring Speech Language Pathologist Assistants (SLPA) for the first time to help us cover our speech language needs. The Support Contract would be the appropriate agreement for this position and recommend adding SLPS's to the agreement. Jim Wendt motioned to approve the addition of Speech Language Pathologist Assistants to the Support Staff Agreement. Holly Tauer seconded, motioned carried by roll call vote. Holly Tauer-yes; Kevin Anderson-yes; Katie Lochner-yes; Shane Ryan-yes; Jim Wendt-yes; Dawn Balow-yes.
- D. **Tower View 2021-2022 School Calendar:** C. Johnson presented the 2021-2022 school calendar for Tower View. Jim Wendt motioned to approve the Tower View 2021-2022 School Calendar. Kevin Anderson seconded, motion carried by roll call vote. Kevin Anderson-yes; Katie Lochner-yes; Shane Ryan-yes; Jim Wendt-yes; Dawn Balow-yes; Holly Tauer-yes.

## VII. **Other:**

- VIII. **Comments: Board/Director:** C. Johnson commented that MDE sent an email asking schools to help with getting students signed up for COVID testing and vaccinations. Will let the board know if we plan to go forward with this.

**IX. Next Meeting Date: May 27, 2021 via ZOOM.**

**X. Adjournment:** Jim Wendt motioned to adjourn. Holly Tauer seconded, motion carried by roll call vote. Katie Lochner-yes; Shane Ryan-yes; Jim Wendt-yes; Dawn Balow-yes; Holly Tauer-yes; Kevin Anderson-yes.



## Goodhue County Ed District Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void Date	Amount
MERC		35480		Wire	1	04060	PERA-PUBLIC EMPLOYEES RETIREMT		No	No	No	04/29/2021	6,379.48
MERC		35481		Wire	1	04062	MIN TEACHERS RETIREMENT ASSOC		No	No	No	04/29/2021	35,303.09
MERC		35482		Wire	1	2216	KWIK TRIP EXTENDED NETWORK		No	Yes	No	04/29/2021	112.74
MERC		35483		Wire	1	2284	E. B. C., LLC /ACS		No	No	No	04/29/2021	13,450.23
MERC		35484		Wire	1	2392	US Dept of Treasury		No	Yes	No	04/29/2021	61,893.85
MERC		35485		Wire	1	2396	MN Dept of Revenue		No	No	No	04/29/2021	10,025.06
MERC		35486		Wire	1	2501	Merchants Bank		No	Yes	No	04/29/2021	2,467.50
MERC		35532		Wire	1	04060	PERA-PUBLIC EMPLOYEES RETIREMT		No	No	No	05/13/2021	7,071.92
MERC		35533		Wire	1	04062	MIN TEACHERS RETIREMENT ASSOC		No	No	No	05/13/2021	35,141.24
MERC		35534		Wire	1	1280	DELTA DENTAL PLAN OF MN		No	No	No	05/13/2021	4,849.60
MERC		35535		Wire	1	2216	KWIK TRIP EXTENDED NETWORK		No	No	No	05/13/2021	639.75
MERC		35536		Wire	1	2284	E. B. C., LLC /ACS		No	No	No	05/13/2021	13,080.23
MERC		35537		Wire	1	2392	US Dept of Treasury		No	No	No	05/13/2021	63,064.76
MERC		35538		Wire	1	2396	MN Dept of Revenue		No	No	No	05/13/2021	10,260.99
MERC		35539		Wire	1	2501	Merchants Bank		No	No	No	05/13/2021	2,467.50
MERC		35467	19045	Check	1	3052	ACT, INC		Yes	No	No	04/29/2021	395.50
MERC		35477	19046	Check	1	3415	AMAZON CAPITAL SERVICES		Yes	No	No	04/29/2021	498.74
MERC		35458	19047	Check	1	08050	CANNON FALLS BEACON		Yes	No	No	04/29/2021	87.90
MERC		35454	19048	Check	1	00433	CITY OF RED WING		Yes	No	No	04/29/2021	529.11
MERC		35475	19049	Check	1	3389	CREATIVELY FOCUSED		Yes	No	No	04/29/2021	2,600.00
MERC		35474	19050	Check	1	3371	DIVISION MECHANICAL SERVICES	S Corporation	Yes	No	No	04/29/2021	151.75
MERC		35462	19051	Check	1	1984	E. B. C., LLC/Flex		Yes	No	No	04/29/2021	953.07
MERC		35460	19052	Check	1	09118	EDUCATION MN - GCED		Yes	No	No	04/29/2021	2,468.65
MERC		35469	19053	Check	1	3126	FERNBROOK FAMILY CENTER		Yes	No	No	04/29/2021	25,003.91
MERC		35470	19054	Check	1	3235	Goodhue Co Ed Dist Paraprofessional Unic		Yes	No	No	04/29/2021	241.35
MERC		35476	19055	Check	1	3393	GOODIN COMPANY		Yes	No	No	04/29/2021	124.55
MERC		35461	19056	Check	1	1031	INFOBASE		Yes	No	No	04/29/2021	3,230.68
MERC		35463	19057	Check	1	2174	INNOVATIVE OFFICE SOLUTIONS		Yes	No	No	04/29/2021	151.48
MERC		35464	19058	Check	1	2369	MABEL-CANTON PUBLIC SCHOOLS		Yes	No	No	04/29/2021	586.40
MERC		35473	19059	Check	1	3362	MCNALLIE, LAURIE		Yes	No	No	04/29/2021	139.08
MERC		35456	19060	Check	1	02672	METRO SALES, INC.		Yes	No	No	04/29/2021	558.00
MERC		35472	19061	Check	1	3296	MUTUAL OF OMAHA		Yes	No	No	04/29/2021	2,482.92
MERC		35478	19062	Check	1	3448	OLYMPIC COMMUNICATIONS, INC		Yes	No	No	04/29/2021	275.00
MERC		35471	19063	Check	1	3282	PRESENCE LEARNING, INC		Yes	No	No	04/29/2021	3,075.68
MERC		35457	19064	Check	1	06510	PRO-ED, INC		Yes	No	No	04/29/2021	246.40
MERC		35459	19065	Check	1	09114	RED WING GLASS INC		Yes	No	No	04/29/2021	211.75
MERC		35468	19066	Check	1	3078	SHRED-N-GO	S Corporation	Yes	No	No	04/29/2021	49.29
MERC		35455	19067	Check	1	00702	SOUTHPAW ENTERPRISES		Yes	No	No	04/29/2021	836.00
MERC		35465	19068	Check	1	2585	TEACHERS ON CALL		Yes	No	No	04/29/2021	541.80

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Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void	Amount
MERC		35466	19069	Check	1	3011	U.S. BANK EQUIPMENT FINANCE		Yes	No	No	04/29/2021	290.00
MERC		35479	19070	Check	1	3468	YUSTEN, NIKKI		Yes	No	No	04/29/2021	166.32
MERC		35523	19071	Check	1	3415	AMAZON CAPITAL SERVICES		Yes	No	No	05/13/2021	464.99
MERC		35494	19072	Check	1	09427	ARENDETT, RENE		Yes	No	No	05/13/2021	193.76
MERC		35496	19073	Check	1	1497	BODENHAMER, SUSAN		Yes	No	No	05/13/2021	107.52
MERC		35515	19074	Check	1	3155	BREDEMUS HARDWARE COMPANY, INI		Yes	No	No	05/13/2021	135.00
MERC		35506	19075	Check	1	2495	CALEDONIA AREA PUBLIC SCHOOLS		Yes	No	No	05/13/2021	5,408.88
MERC		35488	19076	Check	1	01903	CANNON FALLS ISD #252		Yes	No	No	05/13/2021	3,686.80
MERC		35521	19077	Check	1	3329	CHASE CARD SERVICES		Yes	No	No	05/13/2021	11,049.97
MERC		35522	19078	Check	1	3414	COULSON, TESS		Yes	No	No	05/13/2021	120.96
MERC		35507	19079	Check	1	2554	CPI		Yes	No	No	05/13/2021	450.00
MERC		35518	19080	Check	1	3276	CUSTOM COMMUNICATIONS		Yes	No	No	05/13/2021	307.50
MERC		35498	19081	Check	1	1890	DAHLING, SARA		Yes	No	No	05/13/2021	60.48
MERC		35520	19082	Check	1	3297	DEL CARMEN POSADA JARAMILLO, MA	Ind/Sole Proprietor	Yes	No	No	05/13/2021	235.03
MERC		35499	19083	Check	1	1984	E. B. C., LLC/Flex		Yes	No	No	05/13/2021	828.07
MERC		35502	19084	Check	1	2284	E. B. C., LLC /ACS		Yes	No	No	05/13/2021	117.03
MERC		35492	19085	Check	1	09118	EDUCATION MN - GCED		Yes	No	No	05/13/2021	2,468.65
MERC		35490	19086	Check	1	05393	EDUCATION WEEK		Yes	No	No	05/13/2021	35.00
MERC		35517	19087	Check	1	3235	Goodhue Co Ed Dist Paraprofessional Unit		Yes	No	No	05/13/2021	241.35
MERC		35493	19088	Check	1	09162	HILLYARD FLOOR CARE SUPPLY		Yes	No	No	05/13/2021	1,433.40
MERC		35505	19089	Check	1	2377	HOUSTON PUBLIC SCHOOLS		Yes	No	No	05/13/2021	5,829.00
MERC		35500	19090	Check	1	2174	INNOVATIVE OFFICE SOLUTIONS		Yes	No	No	05/13/2021	105.73
MERC		35511	19091	Check	1	2865	INTELLICENTS		Yes	No	No	05/13/2021	1,250.00
MERC		35514	19092	Check	1	3040	INTEREUM		Yes	No	No	05/13/2021	452.48
MERC		35525	19093	Check	1	3466	JACOBSON, DIANE		Yes	No	No	05/13/2021	87.36
MERC		35495	19094	Check	1	1036	LAKE CITY GRAPHIC & SHOPPER		Yes	No	No	05/13/2021	200.00
MERC		35512	19095	Check	1	2960	LANGUAGE LINE SERVICES	C Corporation	Yes	No	No	05/13/2021	43.12
MERC		35491	19096	Check	1	05403	MASE		Yes	No	No	05/13/2021	2,388.00
MERC		35529	19097	Check	1	3493	MASP		Yes	No	No	05/13/2021	40.00
MERC		35526	19098	Check	1	3467	MASSP		Yes	No	No	05/13/2021	595.00
MERC		35489	19099	Check	1	02672	METRO SALES, INC.		Yes	No	No	05/13/2021	1,534.45
MERC		35510	19100	Check	1	2819	MIDWEST SPECIAL INSTRUMENTS		Yes	No	No	05/13/2021	260.00
MERC		35497	19101	Check	1	1784	NCS PEARSON, INC.		Yes	No	No	05/13/2021	64.00
MERC		35530	19102	Check	1	3494	NEILSON, TASHA		Yes	No	No	05/13/2021	112.00
MERC		35531	19103	Check	1	3495	O'ROURKE MEDIA GROUP		Yes	No	No	05/13/2021	87.90
MERC		35501	19104	Check	1	2200	PETERSEN, LYNNE		Yes	No	No	05/13/2021	317.52
MERC		35519	19105	Check	1	3282	PRESENCE LEARNING, INC		Yes	No	No	05/13/2021	1,469.34
MERC		35509	19106	Check	1	2704	RED WING SIGNWORX, INC.		Yes	No	No	05/13/2021	88.41
MERC		35504	19107	Check	1	2368	RUSHFORD-PETERSON DIST. #239		Yes	No	No	05/13/2021	1,476.90

## Goodhue County Ed District Payment Reg by Bank and Check

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Pay/Void Date	Amount
MERC		35527	19108	Check	1 3474		SFGFII, LLC		Yes	No	No	05/13/2021	101.89
MERC		35524	19109	Check	1 3419		SFRC, LLC-TERRAFORM POWER		Yes	No	No	05/13/2021	4,343.49
MERC		35487	19110	Check	1 00702		SOUTHPAW ENTERPRISES		Yes	No	No	05/13/2021	190.00
MERC		35508	19111	Check	1 2585		TEACHERS ON CALL		Yes	No	No	05/13/2021	189.00
MERC		35513	19112	Check	1 3011		U.S. BANK EQUIPMENT FINANCE		Yes	No	No	05/13/2021	689.00
MERC		35503	19113	Check	1 2303		WABASHA-KELLOGG PUBLIC SCHOOL		Yes	No	No	05/13/2021	1,324.75
MERC		35516	19114	Check	1 3223		ZEISSLER, HEATHER		Yes	No	No	05/13/2021	114.24
MERC		35528	19115	Check	1 3482		ZOOM VIDEO COMMUNICATIONS, INC		Yes	No	No	05/13/2021	7,500.00

Bank Total: \$370,301.24

Report Total: \$370,301.24

C. Staff Updates:

1. **Resignations:** Tessa Nobach, ECFE Teacher/Coordinator-ZM
2. **New Hire:** Brenda Houck, Instructional Coach-RW; Elizabeth Diggins, Teacher-RBEC; Julie Braford, Teacher-RBEC; Kim Cory, Principal-5RiversOnline; Lauren Grammond, Social Worker-RBEC/TV; Madeline Ocel, SLPA-LC; Nick Walther, Teacher-RBEC; Ryan Paulson, Teacher-RBEC; Joni Schake, Teacher-RBEC; Stephanie Schiltz, Teacher-RBEC; Amanda McDonnell, Paraprofessional- ESY/CCS/GERS Program; Annmarie Kuyath, Paraprofessional- ESY/CCS/GERS Program; Bridget Larson, Paraprofessional-ESY/CCS/GERS Program; Brooklynn Stewart, Paraprofessional-ESY/CCS/GERS Program; Carie Dicke, Paraprofessional- ESY/CCS/GERS Program; Christina Burawa, Paraprofessional-ESY/CCS/GERS Program; Cynthia Billman, Paraprofessional-ESY/CCS/GERS Program; Danielle Matthies, Paraprofessional-ESY/CCS/GERS Program; Elizabeth Peterson, Paraprofessional- ESY/CCS/GERS Program; Elizabeth Pearson, Paraprofessional-ESY/CCS/GERS Program; Gloria Machado, Paraprofessional-ESY/CCS/GERS Program; Hannah Daley, Paraprofessional- ESY/CCS/GERS Program; Jacquie Morrow, Paraprofessional-ESY/CCS/GERS Program; Jamie Hall, Paraprofessional-ESY/CCS/GERS Program; Jasmyn Armstrong, Paraprofessional- ESY/CCS/GERS Program; Jenny Hokanson, Paraprofessional-ESY/CCS/GERS Program; Jessica Thiel, Paraprofessional-ESY/CCS/GERS Program; Jodi Lundell, Paraprofessional- ESY/CCS/GERS Program; Kailee Acosta, Paraprofessional-ESY/CCS/GERS Program; Kandi Kirchner, Paraprofessional-ESY/CCS/GERS Program; Kathy Flotterud, Paraprofessional- ESY/CCS/GERS Program; Kristy Keim, Paraprofessional-ESY/CCS/GERS Program; Lori Kenney, Paraprofessional-ESY/CCS/GERS Program; Mackenzie Noll, Paraprofessional- ESY/CCS/GERS Program; McKenzie Cordes, Paraprofessional-ESY/CCS/GERS Program; Melissa Hoppman, Paraprofessional-ESY/CCS/GERS Program; Michelle Seydel, Paraprofessional-ESY/CCS/GERS Program; Olivia Bailey, Paraprofessional-ESY/CCS/GERS Program; Renee Kreye, Paraprofessional-ESY/CCS/GERS Program; Sari Gordon, Paraprofessional-ESY/CCS/GERS Program; Sean Wingfield, Paraprofessional-ESY/CCS/GERS Program; Shannon Masker, Paraprofessional-ESY/CCS/GERS Program; Shannon Chitty, Paraprofessional-ESY/CCS/GERS Program; Tashina Stewart, Paraprofessional-ESY/CCS/GERS Program; Naomi Mewhorter, Paraprofessional-ESY/CCS/GERS Program; Amanda Rothstein, Paraprofessional-ESY/CCS/GERS Program; Shelly Angell, Teacher-ESY/CCS/GERS Program; Lynn Booth, SLP-ESY/CCS/GERS Program; Amanda Boyum, Teacher-ESY/CCS/GERS Program; Julie Braford, Teacher-ESY/CCS/GERS Program; Demi Brunkhorst, Teacher-ESY/CCS/GERS Program; Megan Carlson, SLP-ESY/CCS/GERS Program; Erica Cordes, Teacher- ESY/CCS/GERS Program; Tanya Cordes, Teacher-ESY/CCS/GERS Program; Sarah Cowell, Teacher-ESY/CCS/GERS Program; Sami Cromer, Teacher-ESY/CCS/GERS Program; Sarah Curtis, Teacher-ESY/CCS/GERS Program; Angela Dahlen, DHH-ESY/CCS/GERS Program; Brenda Debner, Teacher-ESY/CCS/GERS Program; Molly Dodge-Brage, SW-ESY/CCS/GERS Program; Jesse Duden, Teacher-ESY/CCS/GERS Program; Kayla Fihn, Teacher-ESY/CCS/GERS Program; Nicole Gnotke, Teacher-ESY/CCS/GERS Program; Emily Grobe, Teacher- ESY/CCS/GERS Program; Megan Hanten, Teacher-ESY/CCS/GERS Program; Anne Idler, Teacher-ESY/CCS/GERS Program; Andrea King, SW-ESY/CCS/GERS Program; Laurie King, Teacher-ESY/CCS/GERS Program; Samantha Kraft, Teacher-ESY/CCS/GERS Program; Karin Meyer, Teacher-ESY/CCS/GERS Program; Rachel Millage, Teacher-ESY/CCS/GERS Program; Kennedy Mueller, Teacher-ESY/CCS/GERS Program; Jen Nerison, Teacher-ESY/CCS/GERS Program; Rebecca Nolan, SLP-ESY/CCS/GERS Program; Katie Nystuen, Teacher- ESY/CCS/GERS Program; Ryan Paulson, Teacher-ESY/CCS/GERS Program; Joni Schake, Teacher-ESY/CCS/GERS Program; Kelsey Sletten, Teacher-ESY/CCS/GERS Program; Nick Walther, Teacher-ESY/CCS/GERS Program; Ellie Warrington, Teacher-ESY/CCS/GERS Program; Alexa Williams, Teacher-ESY/CCS/GERS Program; Melissa Zenzen, Teacher- ESY/CCS/GERS Program; Brenda Schmit, Teacher-ESY/CCS/GERS Program; Josh Banks, Teacher-ESY/CCS/GERS Program; Julie Walz, Paraprofessional-ESY/CCS/GERS Program; Heidi Mitchell, Teacher-ESY/CCS/GERS Program; Kaitlyn Taylor, Teacher-ESY/CCS/GERS Program; Siri Quam, Teacher-ESY/CCS/GERS Program; Amanda Starkson, Paraprofessional- ESY/CCS/GERS Program; Holly Schaefer, Paraprofessional-ESY/CCS/GERS Program; Marla Walters, Paraprofessional-ESY/CCS/GERS Program; Lynda Barrett, Paraprofessional-

*ESY/CCS/GERS Program; Peggy Burow, Paraprofessional-ESY/CCS/GERS Program; Nicole Flom, Paraprofessional-ESY/CCS/GERS Program; Heather Breyer, Paraprofessional-ESY/CCS/GERS Program; Jane Sanders, Paraprofessional, ESY/CCS/GERS Program; Jodie Thompson, Paraprofessional-ESY/CCS/GERS Program; Kendra Gadiant, Paraprofessional-ESY/CCS/GERS Program; Katie Lecy, SLP-ESY/CCS/GERS Program; Stephanie Weisenbeck, SLP-ESY/CCS/GERS Program; Tiffany Vikdal, Teacher-ESY/CCS/GERS Program; Mindy Robertson, Paraprofessional-ESY/CCS/GERS Program; Shelly Speltz, Intervener-ESY/CCS/GERS Program; Molly Lindhart, Teacher-ESY/CCD/GERS Programs; Michelle Matthees, Intervener-ESY/CCS/GERS Programs; Abbigail Olson, Paraprofessional-ESY/CCS/GERS Program; Madeline Sundheim, Teacher-ESY/CCS/GERS Program; Anne Anderson, Teacher-ESY/CCS/GERS Program; Kiersten Jacobson, Teacher-ESY/CCS/GERS Program; Jennifer Erickson, Paraprofessional-ESY/CCS/GERS Program.*

3. **Transfers:**

4. **Re-assignment:**

III. **Public:**

IV. **Reports and Communication:**

A. Business Manager Report

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# REVENUE & EXPENDITURE SUMMARY BY SOURCE, OBJECT SERIES & PROGRAM SERIES

GOODHUE COUNTY ED DISTRICT | April 30, 2021

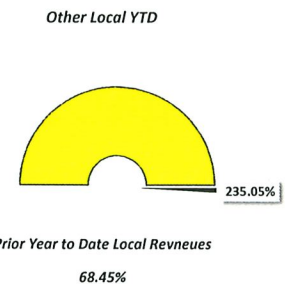
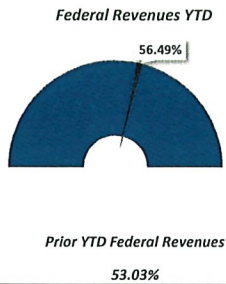
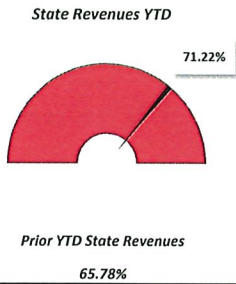
REVENUE CATEGORIES				April 30,	April 30,	April 30,				April 30,	April 30,
	June 30, 2019	June 30, 2020	Revised Budget	Received YTD	Budget Remaining	% of Budget Received	% of Actuals Received	% of Actuals Received	Current YTD vs. PYTD	2020	2019
STATE	3,213,240	3,753,316	3,755,441	2,674,499	1,080,942	71.22%	65.78%	71.33%	205,585	2,468,914	2,291,929
FEDERAL	1,770,360	1,842,614	1,928,866	1,089,601	839,265	56.49%	53.03%	39.08%	112,448	977,153	691,780
PROPERTY TAXES	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
LOCAL SALES, INS RECOVERY & JUDGEMENTS	307,386	5,053	1,450	11,871	(10,421)	818.67%	129.69%	100.00%	5,318	6,553	307,386
SALE OF BONDS & LOANS	0	0	0	13,422,003	(13,422,003)	0.00%	0.00%	0.00%	13,422,003	0	0
INCOMING TRANSFERS FROM OTH FUNDS	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
LOCAL (FEES, INTEREST, ETC.)	7,127,507	7,502,882	8,121,118	5,658,457	2,462,661	69.68%	68.40%	69.78%	526,179	5,132,278	4,973,694
<b>TOTALS</b>	<b>12,418,492</b>	<b>13,103,865</b>	<b>13,806,875</b>	<b>22,856,431</b>	<b>(9,049,556)</b>	<b>165.54%</b>	<b>65.51%</b>	<b>66.55%</b>	<b>14,271,533</b>	<b>8,584,898</b>	<b>8,264,788</b>

EXPENDITURES (OBJECT SERIES)				April 30,	April 30,	April 30,				April 30,	April 30,
	June 30, 2019	June 30, 2020	Revised Budget	Expended YTD	Budget Remaining	% of Budget Expended	% of Actuals Expended	% of Actuals Expended	Current YTD vs. PYTD	2020	2019
SALARIES & WAGES	5,919,959	6,337,951	6,930,845	4,808,484	2,122,361	69.38%	70.77%	71.60%	323,309	4,485,175	4,238,409
EMPLOYEE BENEFITS	1,495,180	1,628,182	1,791,581	1,251,313	540,268	69.84%	71.17%	72.06%	92,583	1,158,730	1,077,443
PURCHASED SERVICES	3,444,894	3,586,395	3,744,921	1,478,190	2,266,731	39.47%	40.59%	36.07%	22,545	1,455,645	1,242,448
SUPPLIES	377,522	276,713	452,427	350,013	102,414	77.36%	79.60%	80.41%	129,744	220,269	303,583
EQUIPMENT	1,057,823	1,105,035	1,140,720	1,688,765	(548,045)	148.04%	99.46%	100.22%	589,713	1,099,051	1,060,192
DEBT SERVICE	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
OTHER EXPENDITURES	53,630	55,152	21,755	25,636	(3,881)	117.84%	35.75%	31.55%	5,922	19,715	16,918
OTHER FINANCING USES	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
<b>TOTALS</b>	<b>12,349,007</b>	<b>12,989,428</b>	<b>14,082,249</b>	<b>9,602,401</b>	<b>4,479,848</b>	<b>68.19%</b>	<b>64.97%</b>	<b>64.29%</b>	<b>1,163,816</b>	<b>8,438,586</b>	<b>7,938,993</b>

EXPENDITURES (PROGRAM SERIES)				April 30,	April 30,	April 30,				April 30,	April 30,
	June 30, 2019	June 30, 2020	Revised Budget	Expended YTD	Budget Remaining	% of Budget Expended	% of Actuals Expended	% of Actuals Expended	Current YTD vs. PYTD	2020	2019
SITE ADMINISTRATION	78,555	59,029	61,238	72,897	(11,659)	119.04%	80.73%	84.57%	25,246	47,651	66,435
DISTRICT ADMINISTRATION	125,920	99,448	104,133	66,022	38,111	63.40%	81.71%	81.82%	(15,239)	81,261	103,027
SUPPORT SERVICES	187,030	202,150	233,419	281,771	(48,352)	120.71%	138.31%	133.71%	2,179	279,592	250,068
REGULAR INSTRUCTION	1,457,714	1,493,398	1,505,869	588,889	916,980	39.11%	38.01%	36.28%	21,298	567,591	528,825
EXTRA-CURRICULAR ACTIVITIES	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
VOCATIONAL INSTRUCTION	295,462	308,496	330,239	209,679	120,560	63.49%	68.86%	61.16%	(2,754)	212,432	180,703
SPECIAL EDUCATION	6,998,990	7,611,603	8,284,486	4,956,640	3,327,846	59.83%	62.88%	62.61%	170,356	4,786,284	4,382,061
COMMUNITY SERVICES	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
INSTRUCTIONAL SUPPORT	460,906	364,829	412,756	333,995	78,761	80.92%	65.83%	54.85%	93,818	240,177	252,787
PUPIL SUPPORT SERVICES	1,277,968	1,367,080	1,520,775	1,033,805	486,970	67.98%	65.48%	66.94%	138,692	895,114	855,468
FACILITIES	1,466,464	1,483,396	1,629,334	2,058,703	(429,369)	126.35%	89.56%	89.99%	730,221	1,328,482	1,319,620
OTHER FINANCING USES	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
<b>TOTALS</b>	<b>12,349,007</b>	<b>12,989,428</b>	<b>14,082,249</b>	<b>9,602,401</b>	<b>4,479,848</b>	<b>68.19%</b>	<b>64.97%</b>	<b>64.29%</b>	<b>1,163,816</b>	<b>8,438,586</b>	<b>7,938,993</b>

SUMMARY - ALL FUNDS				April 30,	April 30,	April 30,				April 30,	April 30,
	June 30, 2019	June 30, 2020	Revised Budget	YTD	Budget Remaining	% of Budget Expended	% of Actuals Expended	% of Actuals Expended	Current YTD vs. PYTD	2020	2019
SUMMARY REVENUE	12,418,492	13,103,865	13,806,875	22,856,431	(9,049,556)	165.54%	65.51%	66.55%	14,271,533	8,584,898	8,264,788
SUMMARY EXPENDITURES	12,349,032	12,989,428	14,082,249	9,602,401	4,479,848	68.19%	64.97%	64.29%	1,163,816	8,438,586	7,938,993
SUMMARY SPENDING VARIANCE	69,460	114,437	(275,374)	13,254,029	N/A	N/A	N/A	N/A	13,107,717	146,312	325,795

**YTD % Received vs. PYTD % Received**

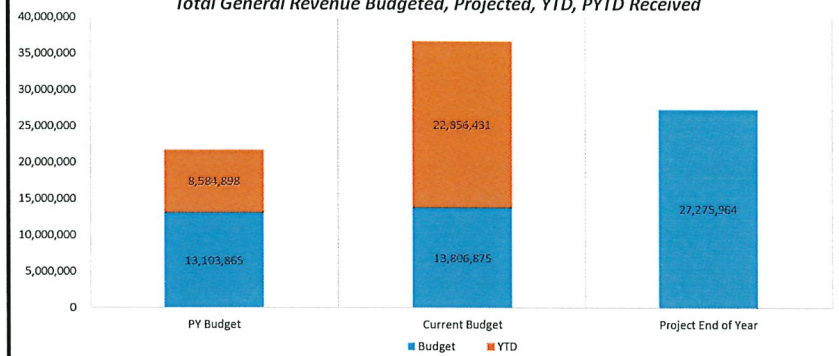


**Top 5 Revenues Received YTD by Source Code 3**

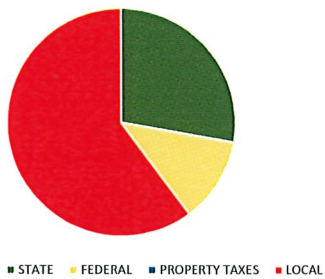
**Variance from PYTD Received**

	<i>Current YTD</i>	<i>Variance vs. PYTD Received</i>
1 GENERAL FUND TOTAL	\$22,856,431	\$14,271,533
2 Total SALE OF BONDS AND LC	\$13,422,003	\$13,422,003
3 Total LOCAL REVENUES	\$5,658,457	\$526,179
4 TUITION & REIMBURSEMENT	\$5,107,561	\$531,112
5 Total STATE REVENUES	\$2,674,499	\$205,585

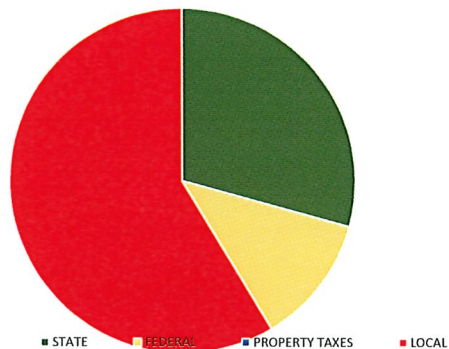
**Total General Revenue Budgeted, Projected, YTD, PYTD Received**



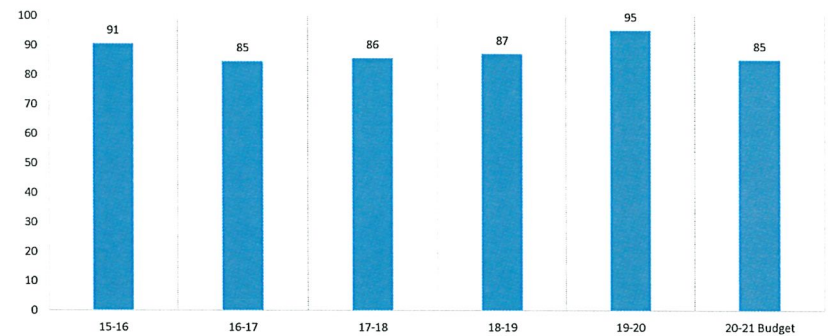
**Current Year Revenue Budget**



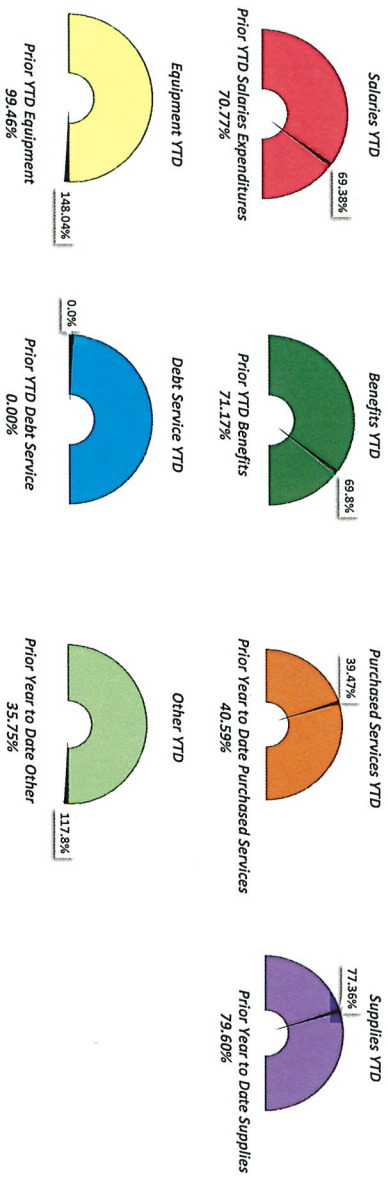
**Prior Year Revenue Budget**



**End of Year ADM History**



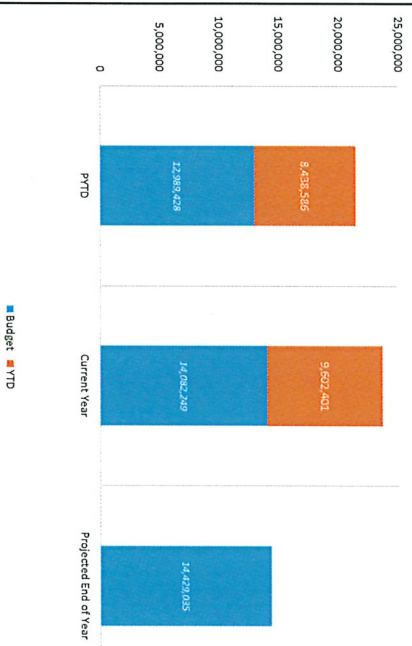
**YTD % Expenditures vs. PYTD % Expenditures**



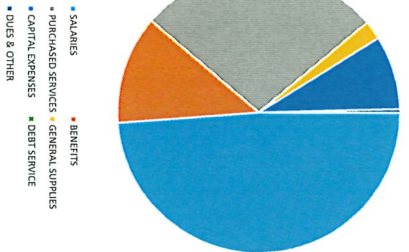
**Top 10 Expenditures YTD by Object Code 3**

Object Code	Variance from PYTD Received	
	Current YTD	Variance vs. PYTD
1 TOTAL SUPPLIES & EQUIPMENT	\$1,688,765	\$589,713
2 LICENSED CLASSROOM	\$1,488,789	\$51,799
3 TOTAL PURCHASED SERVICES	\$1,478,190	\$22,545
4 TOTAL EMPLOYEE BENEFITS	\$1,251,313	\$92,583
5 ADMINISTRATION/SUPERVISION	\$615,872	\$13,791
6 SCHOOL PSYCHOLOGIST	\$491,068	\$43,315
7 EDUCATIONAL/SPEECH LANG. P.	\$444,412	\$140,414
8 SCHOOL SOCIAL WORKER	\$413,377	\$41,638
9 PAYMENTS FOR EDUCATIONAL I	\$360,358	-\$26,589
10 FICA/MEDICARE	\$350,384	\$21,409

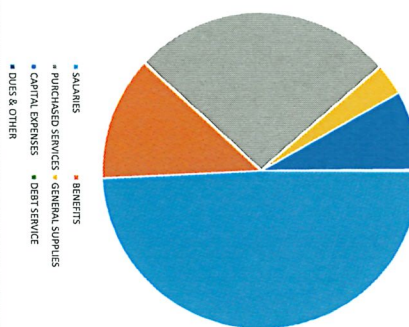
**Total General Expenditures Budgeted, Projected, YTD and, PYTD Expended**



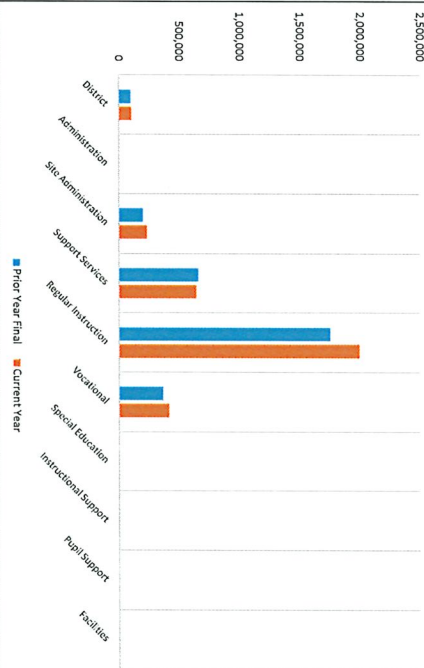
**Prior Year Final Exp Budget**



**Current Year Exp Budget**



**Prior Year Final and Current Expenditures by Program**



# GENERAL FUND - REVENUE SUMMARY

GOODHUE COUNTY ED DISTRICT | April 30, 2021

DESCRIPTION	June 30, 2019	June 30, 2020	Current Budget	Revenue YTD	Budget Remaining	April 30,	April 30,	April 30,	Current YTD vs. Prior YTD	April 30, 2020	April 30, 2019
						2021 % of Budget Received	2020 % of Actuals Received	2019 % of Actuals Received			
<b>LOCAL REVENUES</b>											
021 TUITION & REIMBURSEMENTS FROM MN SCHOOL DISTRICTS	6,479,127	6,819,678	7,370,684	5,107,561	2,263,123	69.30%	67.11%	67.90%	531,112	4,576,450	4,399,082
050 FEES FROM PATRONS	250	350	350	0	350	0.00%	100.00%	100.00%	(350)	350	250
071 MEDICAL ASSISTANCE REV RECEIVED FROM MN DEPT OF HUMAN	0	0	125,500	3,979	121,521	3.17%	0.00%	0.00%	3,979	0	0
092 INTEREST EARNINGS	19,669	10,542	7,000	3,483	3,517	49.76%	95.80%	74.13%	(6,616)	10,099	14,580
093 RENT	8,806	27,878	7,000	0	7,000	0.00%	0.00%	0.00%	0	0	0
096 GIFTS AND BEQUESTS	2,289	1,981	1,326	6,044	(4,718)	455.77%	82.33%	134.77%	4,413	1,631	3,085
099 MISCELLANEOUS REVENUE FROM LOCAL SOURCES	617,364	642,452	609,258	537,390	71,868	88.20%	84.64%	90.17%	(6,358)	543,748	556,696
<b>Total LOCAL REVENUES</b>	<b>7,127,507</b>	<b>7,502,882</b>	<b>8,121,118</b>	<b>5,658,457</b>	<b>2,462,661</b>	<b>69.68%</b>	<b>68.40%</b>	<b>69.78%</b>	<b>526,179</b>	<b>5,132,278</b>	<b>4,973,694</b>
<b>STATE REVENUES</b>											
211 GENERAL EDUCATION AID	100,251	149,608	92,736	111,184	(18,448)	119.89%	90.00%	86.32%	(23,463)	134,647	86,542
300 STATE AID RECEIVED FROM MN EDUCATION FOR WHICH A FINANC	189,851	204,001	204,001	107	203,894	0.05%	0.00%	59.60%	107	(0)	113,156
360 STATE AID FOR SPECIAL EDUCATION	2,859,014	3,356,875	3,458,204	2,563,208	894,996	74.12%	69.35%	73.01%	235,220	2,327,989	2,087,327
370 OTHER REVENUE FROM MN DEPT OF EDUCATION	29,285	7,459	500	0	500	0.00%	84.18%	16.75%	(6,279)	6,279	4,905
397 TRA AND PERA SPECIAL FUNDING SITUATIONS REVENUE	34,839	35,373	0	0	0	0.00%	0.00%	0.00%	0	0	0
<b>Total STATE REVENUES</b>	<b>3,213,240</b>	<b>3,753,316</b>	<b>3,755,441</b>	<b>2,674,499</b>	<b>1,080,942</b>	<b>71.22%</b>	<b>65.78%</b>	<b>71.33%</b>	<b>205,585</b>	<b>2,468,914</b>	<b>2,291,929</b>
<b>FEDERAL REVENUES RECEIVED FROM STATE</b>											
400 FEDERAL AIDS RECEIVED THROUGH MDE (EXCEPT AS NOTED FOR	1,770,360	1,842,614	1,928,866	1,089,601	839,265	56.49%	53.03%	39.08%	112,448	977,153	691,780
<b>Total REVENUES RECEIVED FROM STATE</b>	<b>1,770,360</b>	<b>1,842,614</b>	<b>1,928,866</b>	<b>1,089,601</b>	<b>839,265</b>	<b>56.49%</b>	<b>53.03%</b>	<b>39.08%</b>	<b>112,448</b>	<b>977,153</b>	<b>691,780</b>
<b>FEDERAL REVENUES RECEIVED FROM FED SOURCES</b>											
500 FEDERAL AID RECEIVED FROM FEDERAL SOURCES FOR WHICH A	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
<b>Total FEDERAL REVENUES RECEIVED FROM FED SOURCES</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>LOCAL SALES, INSURANCE RECOVERY, AND JUDGEMENTS</b>											
619 COST OF MATERIALS FOR FUND RAISERS (CONTRA REVENUE)	0	(433)	(500)	0	(500)	0.00%	100.00%	0.00%	433	(433)	0
620 SALES OF MATERIALS FROM REVENUE PRODUCING ACTIVITIES	0	954	950	0	950	0.00%	100.00%	0.00%	(954)	954	0
622 SALE OF MATERIALS (NET OF TAX)	143	522	1,000	3,500	(2,500)	350.00%	387.60%	100.00%	1,478	2,022	143
624 Sale of Equipment	0	0	0	3,650	(3,650)	0.00%	0.00%	0.00%	3,650	0	0
625 INSURANCE RECOVERY	0	4,010	0	4,721	(4,721)	0.00%	100.00%	0.00%	710	4,010	0
628 JUDGMENTS FOR THE SCHOOL DISTRICT	307,243	0	0	0	0	0.00%	0.00%	100.00%	0	0	307,243
<b>Total LOCAL SALES, INSURANCE RECOVERY, AND JUDGEMENTS</b>	<b>307,386</b>	<b>5,053</b>	<b>1,450</b>	<b>11,871</b>	<b>(10,421)</b>	<b>818.67%</b>	<b>129.69%</b>	<b>100.00%</b>	<b>5,318</b>	<b>6,553</b>	<b>307,386</b>
<b>SALE OF BONDS AND LOANS</b>											
635 CERTIFICATES OF PARTICIPATION (LEASE-PURCHASE)	0	0	0	13,422,003	(13,422,003)	0.00%	0.00%	0.00%	13,422,003	0	0
<b>Total SALE OF BONDS AND LOANS</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>13,422,003</b>	<b>(13,422,003)</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>13,422,003</b>	<b>0</b>	<b>0</b>
<b>INCOMING TRANSFERS FROM OTHER FUNDS</b>											
649 PERMANENT TRANSFERS FROM OTHER FUNDS	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
<b>Total INCOMING TRANSFERS FROM OTHER FUNDS</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>GENERAL FUND TOTAL</b>	<b>12,418,492</b>	<b>13,103,865</b>	<b>13,806,875</b>	<b>22,856,431</b>	<b>(9,049,556)</b>	<b>165.54%</b>	<b>65.51%</b>	<b>66.55%</b>	<b>14,271,533</b>	<b>8,584,898</b>	<b>8,264,788</b>

# GENERAL FUND - EXPENDITURES BY OBJECT CODE

GOODHUE COUNTY ED DISTRICT | April 30, 2021

DESCRIPTION	June 30, 2019	June 30, 2020	Revised Budget	Expenses YTD	Budget Remaining	April 30, 2021	April 30, 2020	April 30, 2019	Current YTD vs. Prior YTD	April 30, 2020	April 30, 2019
						% of Budget Expended	% of Actuals Expended	% of Actuals Expended			
110 ADMINISTRATION/SUPERVISION	750,036	729,173	767,435	615,872	151,563	80.25%	82.57%	83.53%	13,791	602,081	626,522
140 LICENSED CLASSROOM TEACHER	1,933,673	2,140,310	2,236,336	1,488,789	747,547	66.57%	67.14%	68.63%	51,793	1,436,996	1,327,167
141 NON-LICENSED CLASSROOM PERSON	0	0	1,798	0	1,798	0.00%	0.00%	0.00%	(1,798)	1,798	42
143 LICENSED INSTRUCTIONAL SUPPORT	284,595	269,261	284,977	233,521	51,456	81.94%	83.33%	84.37%	9,137	224,384	240,115
145 SUBSTITUE TEACHER SALARIES	191	0	1,000	0	1,000	0.00%	0.00%	100.00%	0	0	191
146 SUBSTITUTE NON-LICENSED CLASSR	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
150 PHYSICAL THERAPIST	132,992	138,070	140,374	106,185	34,189	75.64%	75.34%	75.17%	2,160	104,025	99,976
151 OCCUPATIONAL THERAPIST	224,109	233,813	270,961	198,993	71,968	73.44%	66.73%	66.79%	42,975	156,019	149,684
152 EDUCATIONAL/SPEECH LANG. PATHO	413,643	460,372	627,934	444,412	183,522	70.77%	66.03%	67.17%	140,414	303,999	277,833
153 AUDIOLOGIST	62,475	64,500	65,750	43,900	21,850	66.77%	66.67%	66.51%	900	43,000	41,550
154 SCHOOL NURSE	105,756	110,204	110,160	106,369	3,791	96.56%	66.33%	66.47%	33,266	73,103	70,292
155 LICENSED NURSING SERVICES	21,407	27,433	25,976	23,421	2,555	90.16%	83.34%	81.86%	559	22,861	17,523
156 SCHOOL SOCIAL WORKER	502,660	560,237	619,732	413,377	206,355	66.70%	66.35%	60.87%	41,638	371,739	305,949
157 SCHOOL PSYCHOLOGIST	623,518	678,136	812,658	491,068	321,590	60.43%	66.03%	68.87%	43,315	447,754	429,410
161 CERT. PARA & PERSONAL CARE ASSI	368,703	368,768	405,257	313,177	92,080	77.28%	76.12%	75.82%	32,484	280,692	279,549
162 CERT. ONE-TO-ONE PARAPROFESSIO	20,664	55,433	77,000	33,419	43,581	43.40%	73.49%	80.75%	(7,319)	40,738	16,685
163 FOREIGN LANGUAGE INTERPRETER	0	142	912	0	912	0.00%	100.00%	0.00%	(142)	142	0
164 INTERPRETER FOR THE DEAF	58,534	58,315	60,060	49,116	10,944	81.78%	82.76%	81.64%	854	48,262	47,787
170 NON-INSTRUCTIONAL SUPPORT	178,162	178,355	179,190	138,834	40,356	77.48%	81.57%	81.76%	(6,659)	145,493	145,673
174 THERAPUTIC RECREATIONAL SERV. &	40,039	39,252	40,146	26,782	13,364	66.71%	67.11%	66.67%	439	26,342	26,692
185 OTHER SALARY PAYMENTS (LICENSE	152,706	182,692	162,281	77,433	84,848	47.72%	61.77%	63.91%	(35,407)	112,840	97,597
186 OTHER SALARY PAYMENTS (NON-LICI	46,097	43,484	40,908	3,816	37,093	9.33%	98.68%	82.81%	(39,093)	42,908	38,172
<b>TOTAL SALARIES AND WAGES</b>	<b>5,919,959</b>	<b>6,337,951</b>	<b>6,930,845</b>	<b>4,808,484</b>	<b>2,122,361</b>	<b>69.38%</b>	<b>70.77%</b>	<b>71.60%</b>	<b>323,309</b>	<b>4,485,175</b>	<b>4,238,409</b>
<b>EMPLOYEE BENEFITS</b>											
210 FICA/MEDICARE	432,024	464,356	523,163	350,384	172,779	66.97%	70.85%	71.67%	21,409	328,975	309,621
214 PERA (PUBLIC EMPLOYEE RETIREMEI	78,631	81,941	85,907	61,624	24,283	71.73%	74.69%	74.79%	425	61,200	58,808
218 TRA (TEACHERS RETIREMENT ASSOC	357,700	394,478	443,688	312,655	131,033	70.47%	69.44%	70.41%	38,731	273,923	251,864
220 HEALTH INSURANCE	435,380	464,042	505,670	342,533	163,137	67.74%	68.65%	69.02%	23,991	318,543	300,517
230 LIFE INSURANCE	7,070	8,626	10,176	7,168	3,008	70.44%	53.60%	73.32%	2,545	4,623	5,184
235 DENTAL INSURANCE	16,349	16,831	18,008	12,224	5,784	67.88%	71.21%	71.78%	238	11,986	11,735
240 LONG TERM DISABILITY INSURANCE	7,831	9,509	9,268	6,641	2,627	71.66%	55.05%	72.47%	1,407	5,234	5,675
250 TAX SHELTERED ANNUITIES/MN DEFE	68,848	88,920	88,337	80,911	7,426	91.59%	74.68%	77.94%	14,504	66,407	53,663
251 TAX ADVANTAGE EMPLOYER-SPONS	0	4,983	0	4,167	(4,167)	0.00%	33.45%	0.00%	2,500	1,667	0
270 WORKERS COMPENSATION	85,951	93,312	97,364	73,006	24,358	74.98%	91.08%	90.72%	(11,982)	84,988	77,975
280 UNEMPLOYMENT COMPENSATION	5,395	1,185	10,000	0	10,000	0.00%	100.00%	44.52%	(1,185)	1,185	2,402
<b>TOTAL EMPLOYEE BENEFITS</b>	<b>1,495,180</b>	<b>1,628,182</b>	<b>1,791,581</b>	<b>1,251,313</b>	<b>540,268</b>	<b>69.84%</b>	<b>71.17%</b>	<b>72.06%</b>	<b>92,583</b>	<b>1,158,730</b>	<b>1,077,443</b>
<b>PURCHASED SERVICES</b>											
303 FEDERAL SUB AWARDS AND SUB COI	424,033	418,739	452,602	181,371	271,231	40.07%	43.57%	33.83%	(1,055)	182,426	143,446
304 FEDERAL SUB AWARDS AND SUB COI	496,942	505,372	508,180	106,745	401,435	21.01%	20.28%	20.46%	4,272	102,473	101,666
305 CONSULTING FEES/FEES FOR SERVIC	204,595	181,059	245,480	276,904	(31,424)	112.80%	77.95%	62.27%	135,762	141,142	127,410
307 CONTRACTED SUBS FOR SPEC ED PF	34,924	38,237	43,652	6,578	37,074	15.07%	100.74%	65.86%	(31,942)	38,520	23,001
308 FEDERAL TUITION BILL PAYMENTS UF	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
309 FEDERAL TUITION BILL PAYMENTS IN	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
315 REPAIRS AND MAINTENANCE FOR CO	0	0	6,856	0	6,856	0.00%	0.00%	0.00%	0	0	0
316 SERVICES PURCHASED FROM OTHER	4,439	6,002	6,231	6,231	0	100.00%	100.00%	100.00%	229	6,002	4,439
320 COMMUNICATION SERVICES	18,215	18,669	22,000	18,379	3,621	83.54%	66.97%	74.72%	5,876	12,503	13,609
329 POSTAGE AND PARCEL SERVICES	3,006	3,858	4,000	898	3,102	22.45%	54.10%	91.65%	(1,189)	2,087	2,755
330 UTILITY SERVICES	49,817	37,977	55,000	29,415	25,589	53.47%	68.33%	71.87%	3,459	25,951	35,805
340 INSURANCE	35,885	38,991	40,800	41,989	(1,189)	102.91%	91.75%	91.74%	6,214	35,775	32,919
350 REPAIRS AND MAINTENANCE	137,199	159,477	172,233	99,109	73,124	57.54%	57.68%	73.08%	7,129	91,980	100,262
360 TRANSPORTATION CONTRACTS WITH	5,795	765	6,323	0	6,323	0.00%	100.00%	100.00%	(765)	765	5,795
365 INTERDEPARTMENTAL TRANSPORTA	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0

DESCRIPTION	June 30, 2019	June 30, 2020	Revised Budget	Expenses YTD	Budget Remaining	April 30, 2021	April 30, 2020	April 30, 2019	Current YTD vs. Prior YTD	April 30, 2020	April 30, 2019
						Budget Expended	% of Actuals Expended	% of Actuals Expended			
366 TRAVEL, CONVENTIONS, AND CONFERENCE	155,850	157,056	183,621	100,254	83,367	54.60%	85.29%	70.22%	(33,699)	133,953	109,445
368 OUT-OF-STATE TRAVEL, FEDERAL REIMBURSEMENT	4,395	4,148	0	0	0	0.00%	138.52%	114.37%	(5,746)	5,746	5,027
370 OPERATING LEASES OR RENTALS	15,300	15,760	15,760	5,046	10,714	32.02%	0.00%	0.00%	5,046	0	0
379 Qualified Mental Health Professional Services	0	0	0	17,042	(17,042)	0.00%	0.00%	0.00%	17,042	0	0
389 STAFF TUITION AND OTHER REIMBURSEMENT	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
390 PAYMENTS FOR EDUCATIONAL PURPOSES	0	417	0	0	0	0.00%	0.00%	0.00%	0	0	0
391 PAYMENTS TO MN ISD'S (COST SHARING)	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
393 SPECIAL EDUCATION AND TRANSITION SERVICES	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
394 PAYMENTS FOR EDUCATIONAL PURPOSES	823,072	915,023	861,616	360,358	501,258	41.82%	42.29%	36.03%	(26,589)	386,947	296,514
396 SALARY PURCHASED FROM ANOTHER ENTITY	771,876	818,972	833,376	174,141	659,235	20.90%	26.39%	23.41%	(41,970)	216,111	180,711
397 BENEFITS PURCHASED FROM ANOTHER ENTITY	259,551	265,873	287,191	53,735	233,456	18.71%	27.56%	22.98%	(19,529)	73,264	59,644
<b>TOTAL PURCHASED SERVICES</b>	<b>3,444,894</b>	<b>3,586,395</b>	<b>3,744,921</b>	<b>1,478,190</b>	<b>2,266,731</b>	<b>39.47%</b>	<b>40.59%</b>	<b>36.07%</b>	<b>22,545</b>	<b>1,455,645</b>	<b>1,242,448</b>
<b>SUPPLIES</b>											
401 SUPPLIES AND MATERIALS-NON INSTRUCTIONAL	51,335	34,380	57,608	47,339	10,269	82.18%	78.64%	72.64%	20,302	27,037	37,288
405 NON INSTRUCTIONAL COMPUTER SOFTWARE	82,962	74,814	86,960	83,050	3,910	95.50%	99.29%	95.18%	8,766	74,283	78,963
406 INSTRUCTIONAL SOFTWARE LICENSE	35,563	37,665	73,315	79,514	(6,199)	108.45%	100.62%	98.99%	41,616	37,898	35,204
430 SUPPLIES AND MATERIALS-NON-INDIVIDUAL	13,934	10,842	11,095	4,094	7,001	36.90%	27.03%	40.58%	1,164	2,931	5,654
433 SUPPLIES AND MATERIALS - INDIVIDUAL	84,500	45,123	104,905	79,392	25,513	75.68%	38.60%	80.67%	61,976	17,416	68,167
440 FUELS	13,893	10,433	17,000	10,094	6,906	59.37%	89.60%	86.61%	746	9,348	12,032
455 NON- INSTRUCTIONAL TECHNOLOGY	31,436	355	3,500	9,380	(5,880)	267.99%	100.00%	11.25%	9,025	355	3,536
456 INSTRUCTIONAL TECHNOLOGY SUPPLIES	14,780	2,810	15,050	5,838	9,212	38.79%	100.00%	100.00%	3,027	2,810	14,780
460 TEXTBOOKS AND WORKBOOKS	950	2,060	32,915	960	31,955	2.92%	100.00%	37.18%	(1,100)	2,060	353
461 STANDARDIZED TESTS	36,620	39,680	40,180	396	39,785	0.98%	97.03%	100.00%	(38,105)	38,500	36,620
465 NON- INSTRUCTIONAL TECHNOLOGY	714	0	715	6,166	(5,451)	862.36%	0.00%	100.00%	6,166	0	714
466 INSTRUCTIONAL TECHNOLOGY DEVICE	3,666	12,983	2,284	23,447	(21,163)	1026.58%	15.89%	100.00%	21,384	2,063	3,666
490 FOOD	7,168	5,568	6,900	345	6,555	4.99%	100.00%	92.14%	(5,223)	5,568	6,605
<b>TOTAL SUPPLIES</b>	<b>377,522</b>	<b>276,713</b>	<b>452,427</b>	<b>350,013</b>	<b>102,414</b>	<b>77.36%</b>	<b>79.60%</b>	<b>80.41%</b>	<b>129,744</b>	<b>220,269</b>	<b>303,583</b>
<b>SUPPLIES &amp; EQUIPMENT</b>											
510 SITE OR GROUNDS ACQUISITION	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
520 BUILDING ACQUISITION OR CONSTRUCTION	0	760	41,583	0	41,583	0.00%	100.00%	0.00%	(760)	760	0
530 OTHER EQUIPMENT PURCHASED	23,163	50,446	57,230	12,887	44,343	22.52%	94.89%	110.23%	(34,982)	47,869	25,533
533 OTHER EQUIP. PURCHASED FOR SPECIAL	0	0	2,312	0	2,312	0.00%	0.00%	0.00%	0	0	0
535 CAPITAL LEASES	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
550 OTHER VEHICLES PURCHASED	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
555 CAPITALIZED NON-INSTRUCTIONAL TECHNOLOGY	0	15,623	4,389	1,249	3,140	28.46%	78.20%	0.00%	(10,968)	12,217	0
556 CAPITALIZED TECHNOLOGY HARDWARE	0	0	0	10,855	(10,855)	0.00%	0.00%	0.00%	10,855	0	0
580 PRINCIPAL ON CAPITAL LEASE/INSTALLMENT	412,986	429,640	446,334	1,328,405	(882,071)	297.63%	99.62%	100.00%	900,419	427,986	412,986
581 INTEREST ON CAPITAL LEASE/INSTALLMENT	618,774	603,320	583,626	330,868	252,758	56.69%	100.27%	100.00%	(274,106)	604,974	618,774
589 LEASE TRANSACTIONS/INSTALLMENT	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
590 OTHER CAPITAL EXPENDITURES	2,900	5,246	5,246	4,500	746	85.78%	100.00%	100.00%	(746)	5,246	2,900
<b>TOTAL SUPPLIES &amp; EQUIPMENT</b>	<b>1,057,823</b>	<b>1,105,035</b>	<b>1,140,720</b>	<b>1,688,765</b>	<b>(548,045)</b>	<b>148.04%</b>	<b>99.46%</b>	<b>100.22%</b>	<b>589,713</b>	<b>1,099,051</b>	<b>1,060,192</b>
<b>OTHER EXPENDITURES</b>											
810 JUDGMENTS AGAINST THE SCHOOL DISTRICT	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
820 DUES, MEMBERSHIP, LICENSE AND SUBSCRIPTIONS	18,791	20,127	21,655	25,616	(3,961)	118.29%	95.08%	90.03%	6,480	19,137	16,918
891 TRA AND PERA SPECIAL FUNDING SUPPORT	34,839	35,373	0	0	0	0.00%	0.00%	0.00%	0	0	0
895 FEDERAL AND NONPUBLIC INDIRECT COSTS	(0)	(0)	0	0	0	0.00%	0.00%	0.00%	0	0	0
896 TAXES, SPECIAL ASSESSMENTS AND FEES	0	(348)	100	20	80	20.00%	-166.28%	0.00%	(558)	578	0
<b>TOTAL OTHER EXPENDITURES</b>	<b>53,630</b>	<b>55,152</b>	<b>21,755</b>	<b>25,636</b>	<b>(3,881)</b>	<b>117.84%</b>	<b>35.75%</b>	<b>31.55%</b>	<b>5,922</b>	<b>19,715</b>	<b>16,918</b>
<b>OTHER FINANCING USES</b>											
910 PERMANENT TRANSFERS TO OTHER FUNDS	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
<b>TOTAL OTHER FINANCING USES</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>GENERAL FUND TOTAL</b>	<b>12,349,007</b>	<b>12,989,428</b>	<b>14,082,249</b>	<b>9,602,401</b>	<b>4,479,848</b>	<b>68.19%</b>	<b>64.97%</b>	<b>64.29%</b>	<b>1,163,816</b>	<b>8,438,586</b>	<b>7,938,993</b>

# GENERAL FUND - EXPENDITURES BY PROGRAM CODE

GOODHUE COUNTY ED DISTRICT | April 30, 2021

DESCRIPTION	June 30, 2019	June 30, 2020	Revised Budget	Expenses YTD	Budget Remaining	April 30,	April 30,	April 30,	Current YTD vs. Prior YTD	April 30, 2020	April 30, 2019
						2021	2020	2019			
						% of Budget Expended	% of Actuals Expended	% of Actuals Expended			
<b>DISTRICT ADMINISTRATION</b>											
010 BOARD OF EDUCATION	21,042	16,440	25,287	10,662	14,625	42.16%	76.78%	78.26%	(1,960)	12,622	16,467
030 INSTRUCTIONAL ADMINISTRATION	104,878	83,008	78,846	55,360	23,486	70.21%	82.69%	82.53%	(13,279)	68,640	86,560
<b>TOTAL - DISTRICT ADMINISTRATION</b>	<b>125,920</b>	<b>99,448</b>	<b>104,133</b>	<b>66,022</b>	<b>38,111</b>	<b>63.40%</b>	<b>81.71%</b>	<b>81.82%</b>	<b>(15,239)</b>	<b>81,261</b>	<b>103,027</b>
<b>SITE ADMINISTRATION</b>											
050 SCHOOL ADMINISTRATION	78,555	59,029	61,238	72,897	(11,659)	119.04%	80.73%	84.57%	25,246	47,651	66,435
<b>TOTAL - SITE ADMINISTRATION</b>	<b>78,555</b>	<b>59,029</b>	<b>61,238</b>	<b>72,897</b>	<b>(11,659)</b>	<b>119.04%</b>	<b>80.73%</b>	<b>84.57%</b>	<b>25,246</b>	<b>47,651</b>	<b>66,435</b>
<b>SUPPORT SERVICES</b>											
105 GENERAL ADMINISTRATIVE SUPPORT	80,606	85,805	98,810	155,679	(56,869)	157.55%	187.95%	184.55%	(5,589)	161,267	148,756
110 BUSINESS SUPPORT SERVICES	106,423	116,345	134,609	126,093	8,516	93.67%	101.70%	95.20%	7,768	118,325	101,312
<b>TOTAL - SUPPORT SERVICES</b>	<b>187,030</b>	<b>202,150</b>	<b>233,419</b>	<b>281,771</b>	<b>(48,352)</b>	<b>120.71%</b>	<b>138.31%</b>	<b>133.71%</b>	<b>2,179</b>	<b>279,592</b>	<b>250,068</b>
<b>REGULAR INSTRUCTION</b>											
203 EDUCATION - ELEMENTARY GENERAL	110,604	85,478	112,988	0	112,988	0.00%	0.00%	0.00%	0	0	0
205 TITLE III, PART A - ENGLISH LANGUAGE ACQUIS	16,477	14,929	19,583	14,399	5,184	73.53%	92.00%	75.27%	666	13,734	12,401
211 EDUCATION - SECONDARY GENERAL	651,218	657,881	638,917	51,321	587,596	8.03%	8.06%	8.84%	(1,698)	53,019	57,580
219 ENGLISH LEARNER	329,795	365,688	354,994	270,372	84,622	76.16%	70.35%	69.20%	13,096	257,276	228,216
220 ENGLISH (LANGUAGE ARTS)	60,325	63,448	64,903	43,735	21,168	67.39%	66.01%	66.28%	1,853	41,883	39,983
240 HEALTH, PHYSICAL EDUCATION AND RECREAT	6,055	6,126	6,439	4,085	2,354	63.44%	67.91%	67.66%	(75)	4,160	4,097
250 FAMILY LIVING SCIENCE	74,805	79,279	81,092	53,231	27,861	65.64%	65.76%	65.90%	1,098	52,134	49,298
255 INDUSTRIAL EDUCATION	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
256 MATHEMATICS	69,186	74,844	77,533	51,235	26,298	66.08%	65.83%	65.87%	1,963	49,272	45,575
260 NATURAL SCIENCES	77,398	80,887	82,264	55,229	27,035	67.14%	65.94%	65.89%	1,889	53,340	50,996
270 SOCIAL SCIENCES/SOCIAL STUDIES	61,850	64,840	67,156	45,282	21,874	67.43%	65.97%	65.77%	2,509	42,774	40,680
<b>TOTAL - REGULAR INSTRUCTION</b>	<b>1,457,714</b>	<b>1,493,398</b>	<b>1,505,869</b>	<b>588,889</b>	<b>916,980</b>	<b>39.11%</b>	<b>38.01%</b>	<b>36.28%</b>	<b>21,298</b>	<b>567,591</b>	<b>528,825</b>
<b>VOCATIONAL INSTRUCTION</b>											
380 SPECIAL NEEDS	231,496	240,432	259,163	162,324	96,839	62.63%	69.70%	59.83%	(5,256)	167,580	138,511
399 CAREER AND TECHNICAL - GENERAL	63,966	68,063	71,076	47,355	23,721	66.63%	65.90%	65.96%	2,502	44,853	42,193
<b>TOTAL - VOCATIONAL INSTRUCTION</b>	<b>295,462</b>	<b>308,496</b>	<b>330,239</b>	<b>209,679</b>	<b>120,560</b>	<b>63.49%</b>	<b>68.86%</b>	<b>61.16%</b>	<b>(2,754)</b>	<b>212,433</b>	<b>180,703</b>
<b>SPECIAL ED INSTRUCTION</b>											
400 GENERAL SPECIAL EDUCATION	108,471	110,607	74,686	60,418	14,268	80.90%	54.39%	56.35%	259	60,159	61,120
401 SPEECH/LANGUAGE IMPAIRED	653,387	756,820	924,147	725,521	198,626	78.51%	73.29%	71.49%	170,819	554,702	467,138
402 DEVELOPMENTAL COGNITIVE DISABILITIES: MII	111,947	118,134	123,493	63,643	59,850	51.54%	72.70%	59.43%	(22,243)	85,886	66,535
403 DEVELOPMENTAL COGNITIVE DISABILITIES: SE	4,915	20,524	17,345	3,015	14,330	17.38%	63.05%	98.76%	(9,925)	12,940	4,854
404 PHYSICALLY IMPAIRED	555,834	582,179	642,003	404,051	237,952	62.94%	65.92%	68.25%	20,270	383,782	379,369
405 DEAF/HARD-OF-HEARING	214,717	228,154	229,357	148,748	80,609	64.85%	64.92%	64.56%	637	148,111	138,627
406 VISUALLY IMPAIRED	78,174	81,877	93,272	57,931	35,342	62.11%	66.60%	70.51%	3,400	54,531	55,122
407 SPECIFIC LEARNING DISABILITY	112,797	272,073	167,460	103,130	64,330	61.58%	48.60%	69.57%	(29,108)	132,238	78,470
408 EMOTIONAL/BEHAVIORAL DISORDER	1,374,053	1,501,672	1,557,996	652,560	905,436	41.88%	51.43%	48.61%	(119,682)	772,242	667,994
410 OTHER HEALTH DISABILITIES	109,409	106,049	155,550	156,829	(1,279)	100.82%	84.90%	2.21%	66,789	90,040	2,420
411 AUTISTIC SPECTRUM DISORDERS	474,745	508,490	539,474	427,820	111,654	79.30%	69.18%	81.03%	76,034	351,786	384,705
412 DEVELOPMENTALLY DELAYED	886,360	870,576	911,803	532,635	379,168	58.42%	61.95%	62.52%	(6,658)	539,294	554,119
414 TRAUMATIC BRAIN INJURY	0	6,815	5,686	18,655	(12,969)	328.09%	52.82%	0.00%	15,055	3,600	0
416 SEVERELY MULTIPLY IMPAIRED	0	655	654	0	654	0.00%	98.65%	0.00%	(646)	646	0
420 SPECIAL EDUCATION - AGGREGATE (THREE OF	2,036,125	2,196,406	2,403,726	1,486,472	917,254	61.84%	66.77%	68.53%	19,873	1,466,599	1,395,276
422 SPECIAL EDUCATION-STUDENTS WITHOUT DIS	278,055	250,571	437,834	115,212	322,622	26.31%	51.77%	45.43%	(14,517)	129,729	126,311
<b>TOTAL - SPECIAL ED INSTRUCTION</b>	<b>6,998,990</b>	<b>7,611,603</b>	<b>8,284,486</b>	<b>4,956,640</b>	<b>3,327,846</b>	<b>59.83%</b>	<b>62.88%</b>	<b>62.61%</b>	<b>170,356</b>	<b>4,786,284</b>	<b>4,382,061</b>
<b>INSTRUCTIONAL SUPPORT</b>											
610 CURRICULUM CONSULTANT AND DEVELOPMEI	347,145	295,945	341,811	260,584	81,227	76.24%	65.55%	58.41%	66,580	194,005	202,770
630 INSTRUCTION-RELATED TECHNOLOGY	75,825	59,078	54,445	71,410	(16,965)	131.16%	61.66%	50.11%	34,985	36,426	37,997
640 STAFF DEVELOPMENT	37,936	9,806	16,500	2,000	14,500	12.12%	99.40%	31.68%	(7,747)	9,747	12,019
<b>TOTAL - INSTRUCTIONAL SUPPORT</b>	<b>460,906</b>	<b>364,829</b>	<b>412,756</b>	<b>333,995</b>	<b>78,761</b>	<b>80.92%</b>	<b>65.83%</b>	<b>54.85%</b>	<b>93,818</b>	<b>240,177</b>	<b>252,787</b>
<b>PUPIL SUPPORT SERVICES</b>											

DESCRIPTION	June 30, 2019	June 30, 2020	Revised Budget	Expenses YTD	Budget Remaining	April 30,	April 30,	April 30,	Current YTD vs. Prior YTD	April 30, 2020	April 30, 2019
						2021 % of Budget Expended	2020 % of Actuals Expended	2019 % of Actuals Expended			
720 HEALTH SERVICES	163,454	176,681	175,205	169,472	5,733	96.73%	68.34%	67.96%	48,736	120,736	111,085
730 PSYCHOLOGICAL AND MENTAL HEALTH SERVI	739,099	780,683	919,075	588,150	330,925	63.99%	65.72%	68.06%	75,049	513,101	503,011
740 SOCIAL WORK SERVICES	365,301	406,646	418,072	270,500	147,572	64.70%	63.61%	63.50%	11,841	258,659	231,956
760 PUPIL TRANSPORTATION	8,260	3,070	8,423	5,684	2,739	67.48%	85.26%	91.84%	3,067	2,617	7,586
790 OTHER PUPIL SUPPORT SERVICES	1,853	0	0	0	0	0.00%	0.00%	98.76%	0	0	1,830
<b>TOTAL - PUPIL SUPPORT SERVICES</b>	<b>1,277,968</b>	<b>1,367,080</b>	<b>1,520,775</b>	<b>1,033,805</b>	<b>486,970</b>	<b>67.98%</b>	<b>65.48%</b>	<b>66.94%</b>	<b>138,692</b>	<b>895,114</b>	<b>855,468</b>
<b>FACILITIES</b>											
810 OPERATIONS AND MAINTENANCE	324,480	294,452	389,388	174,391	214,997	44.79%	65.98%	62.44%	(19,894)	194,285	202,593
850 CAPITAL FACILITIES	1,057,012	1,087,154	1,131,178	1,819,554	(688,376)	160.85%	99.76%	100.19%	734,978	1,084,576	1,059,035
865 LONG-TERM FACILITIES MAINTENANCE	84,972	101,790	108,768	64,758	44,010	59.54%	48.75%	68.25%	15,138	49,621	57,992
870 BUILDING CONSTRUCTION	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
<b>TOTAL - FACILITIES</b>	<b>1,466,464</b>	<b>1,483,396</b>	<b>1,629,334</b>	<b>2,058,703</b>	<b>(429,369)</b>	<b>126.35%</b>	<b>89.56%</b>	<b>89.99%</b>	<b>730,221</b>	<b>1,328,482</b>	<b>1,319,620</b>
<b>OTHER FINANCING USES</b>											
950 TRANSFERS	0	0	0	0	0	0.00%	0.00%	0.00%	0	0	0
<b>TOTAL - OTHER FINANCING USES</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0.00%</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>GENERAL FUND TOTAL</b>	<b>12,349,007</b>	<b>12,989,428</b>	<b>14,082,249</b>	<b>9,602,401</b>	<b>4,479,848</b>	<b>68.19%</b>	<b>64.97%</b>	<b>64.29%</b>	<b>1,163,816</b>	<b>8,438,586</b>	<b>7,938,993</b>

## **Business Manager Report 5-27-21**

### **Budget 2020-21 as of 4/30/21**

We have received \$22,856,431 or 165.54% of the revised revenue budget, compared to 65.51% at 4/30/20 and 66.55% at 4/30/19. Without the COP proceeds, we have received \$9,434,428 which is 68.33% of the revised budget. We have expended \$9,602,401 or 68.19% of the revised expense budget, compared to 64.97% at 4/30/20 and 64.29% at 4/30/19.

### **Cash Flow**

Cash flow has improved. We are not looking at a cash flow shortage for the remainder of 20-21.

### **April Bank Rec**

For your information



**GOODHUE CO ED DISTRICT  
2020-21 CASH FLOW**

**AS OF 5-19-21**

**JULY**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
7/1/2020	-	-	-	-	-	829,631.52
7/1/2020	-	-	-	-	-	829,631.52
7/9/2020	(191,147.21)	-	-	-	176,628.87	815,113.18
7/15/2020	(117,553.44)	(169,560.82)	200,477.47	124,199.36	-	852,675.75
7/20/2020	(563,115.92)	-	237,450.71	-	-	527,010.54
7/31/2020	(115,879.71)	(159,493.10)	91.58	56,454.25	-	308,183.56
<b>ENDING BALANCE</b>	<b>(987,696.28)</b>	<b>(329,053.92)</b>	<b>-</b>	<b>438,019.76</b>	<b>180,653.61</b>	<b>176,628.87</b>

**AUGUST**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
8/1/2020	-	-	-	-	-	308,183.56
8/4/2020	(80,281.57)	-	281,440.96	-	-	509,342.95
8/15/2020	(135,894.42)	(194,940.82)	-	233,880.60	224,579.24	636,967.55
8/17/2020	(301,880.60)	-	120,972.75	-	-	456,059.70
8/30/2020	(123,616.67)	(174,273.43)	711,902.64	557,330.75	-	1,427,402.99
<b>ENDING BALANCE</b>	<b>(641,673.26)</b>	<b>(369,214.25)</b>	<b>-</b>	<b>1,114,316.35</b>	<b>791,211.35</b>	<b>224,579.24</b>

**SEPTEMBER**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
9/1/2020	(112,545.22)	-	2,795.00	-	-	1,317,652.77
9/15/2020	(964,756.61)	(182,491.90)	141,740.35	125,813.75	-	437,958.36
9/17/2020	-	-	95,348.43	1,180.00	296,198.88	830,685.67
9/30/2020	(333,718.01)	(197,028.29)	243,252.05	200,757.21	-	743,948.63
<b>ENDING BALANCE</b>	<b>(1,411,019.84)</b>	<b>(379,520.19)</b>	<b>-</b>	<b>483,135.83</b>	<b>327,750.96</b>	<b>296,198.88</b>

**OCTOBER**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
10/1/2020	-	-	72,984.31	-	-	816,932.94
10/9/2020	-	-	-	-	-	816,932.94
10/15/2020	(335,148.63)	(191,235.47)	-	53,294.85	145,271.86	489,115.55
10/20/2020	-	-	274,020.27	-	4,248.25	767,384.07
10/31/2020	(350,510.11)	(188,921.70)	335,127.16	219,312.04	323,055.56	1,105,447.02
<b>ENDING BALANCE</b>	<b>(685,658.74)</b>	<b>(380,157.17)</b>	<b>-</b>	<b>682,131.74</b>	<b>272,606.89</b>	<b>472,575.67</b>

**NOVEMBER**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
11/1/2020	-	-	-	-	-	1,105,447.02
11/5/2020	-	-	1,056.00	-	-	1,106,503.02
11/15/2020	(248,426.67)	(186,078.14)	626,301.41	66,618.57	-	1,364,918.19
11/20/2020	(36,468.12)	-	272,482.42	-	-	1,600,932.49
11/30/2020	(136,059.90)	(186,960.82)	76.10	96,317.71	-	1,374,305.58
<b>ENDING BALANCE</b>	<b>(420,954.69)</b>	<b>(373,038.96)</b>	<b>-</b>	<b>899,915.93</b>	<b>162,936.28</b>	<b>-</b>

**DECEMBER**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
12/1/2020	-	-	-	-	206,672.09	1,580,977.67
12/8/2020	(71,351.28)	-	207,071.06	-	18,534.41	1,735,231.86
12/15/2020	(134,023.91)	(184,339.36)	113,256.98	145,013.02	4,479.17	1,679,617.76
12/20/2020	(100,170.59)	-	250,730.96	-	-	1,830,178.13
12/31/2020	(131,736.75)	(187,665.03)	85.18	79,098.01	-	1,589,959.54

ENDING BALANCE	(437,282.53)	(372,004.39)	-	571,144.18	224,111.03	229,685.67	1,589,959.54
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**JANUARY**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
1/1/2021	(93,888.01)	-	-	-	-	1,496,071.53
1/8/2021	-	-	275,278.76	-	-	1,771,350.29
1/15/2021	(128,666.41)	(176,038.93)	-	131,830.02	-	1,598,474.97
1/20/2021	(704,215.65)	-	-	-	-	894,259.32
1/31/2021	(131,133.49)	(178,100.46)	270,798.02	350,337.05	-	1,206,160.44
ENDING BALANCE	(1,057,903.56)	(354,139.39)	546,076.78	482,167.07	-	1,206,160.44

**FEBRUARY**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
2/1/2021	(71,617.72)	-	-	-	-	1,134,542.72
2/15/2021	(130,061.05)	(182,535.86)	183,226.18	248,458.12	-	1,253,630.11
2/20/2021	(117,827.43)	-	-	-	260,252.09	1,396,054.77
2/28/2021	(133,393.18)	(181,823.87)	489,367.65	143,629.43	-	1,713,834.80
ENDING BALANCE	(452,899.38)	(364,359.73)	672,593.83	392,087.55	260,252.09	1,713,834.80

**MARCH**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
3/1/2021	(178,857.74)	-	-	-	-	1,534,977.06
3/15/2021	(134,364.74)	(188,169.42)	124,589.77	143,612.08	-	1,480,644.75
3/20/2021	(151,306.55)	-	279,121.17	-	-	1,608,459.37
3/31/2021	(32.95)	(178,827.50)	62.10	172,353.79	-	1,602,014.81
ENDING BALANCE	(464,561.98)	(366,996.92)	403,773.04	315,965.87	-	1,602,014.81

**APRIL**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
4/9/2021	(198,171.27)	-	361,931.31	-	-	1,765,774.85
4/15/2021	(400,237.25)	(191,497.04)	223,958.66	115,009.73	-	1,513,008.95
4/20/2021	-	-	-	-	292,786.04	1,805,794.99
4/30/2021	(175,562.62)	(180,004.79)	121,644.83	267,948.12	-	1,839,820.53
ENDING BALANCE	(773,971.14)	(371,501.83)	707,534.80	382,957.85	292,786.04	1,839,820.53

**MAY**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
5/1/2021	-	-	63,780.54	-	-	1,903,601.07
5/15/2021	(194,773.96)	(183,817.09)	-	143,635.03	-	1,668,645.05
5/20/2021	-	-	437,022.97	-	-	2,105,668.02
5/31/2021	(254,149.76)	(225,850.45)	274,249.08	143,635.02	-	2,043,551.91
ENDING BALANCE	(448,923.72)	(409,667.54)	775,052.59	287,270.05	-	2,043,551.91

**JUNE**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
6/1/2021	-	-	169,318.16	-	-	2,212,870.06
6/15/2021	(209,994.02)	(192,205.72)	172,972.91	-	-	1,983,643.23
6/20/2021	(130,763.77)	-	223,333.96	143,635.03	-	2,219,848.46
6/30/2021	(125,607.90)	(182,976.11)	172,820.02	-	-	2,084,084.47
ENDING BALANCE	(466,365.69)	(375,181.83)	738,445.05	143,635.03	-	2,084,084.47

TOTALS	(8,248,910.80)	(4,444,836.12)	-	8,032,139.88	3,963,353.54	1,952,706.46	2,084,084.47
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**Monthly Bank Reconciliation**  
**April 30, 2021**

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Bank Statement Date: 4/30/2021

MSDLAF	\$42.26
MSDMAX	\$1,267,097.94
MERCHANTS BANK - GENERAL	\$199,994.66
MERCHANTS BANK - PAYROLL	\$79,249.92
MERCHANTS BANK - SWEEP	\$288,659.15
U.S. BANK	\$0.00

Ending Balance from Bank Statement \$1,835,043.93

Add Deposits in Transit:

Deposit Date	Amount	Deposit Date	Amount
MSDLAF	\$0.00	TRANSFER TO SWP	\$121,047.96
MERCHANTS	\$0.00		\$0.00
	\$0.00		\$0.00

**Total Deposits in Transit** \$121,047.96

**Subtotal** **\$1,956,091.89**

Subtract Outstanding Checks:

Account	Amount	Account	Amount
BANK OF ZUMBROTA	\$0.00	TRANSFER FRM SWEEP	\$0.00
U.S. BANK AP CHECKS	\$0.00		
MERCHANTS - PR	\$0.00		
MERCHANTS - AP	\$116,445.90		
	\$0.00		

**Total Outstanding Checks** \$116,445.90

**Computed Book Balance** **\$1,839,645.99**

Balance per Your Books 1,839,645.99

**Difference** \$0.00

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**K - 6**

## 5RiversOnline Learner Information

Learning in Grades K through 6 is founded in three anchors designed to keep the student engaged, supported, and deeply learning in a virtual environment. Click here to view the the [K - 6 Learner Schedule](#).



### Morning Meeting

Each K - 6 learner will virtually attend a morning meeting each day. This time is used to build a sense of community and trust among the online learners. This meeting will be a regular routine of greeting learners, time for learners to share, and morning messages. Transitioning to the upper elementary grades, as relationships are developed and routines established, the morning meeting teacher will also introduce goal setting and study skills.

Teachers will help learners develop and progress monitor their own goals. The intent is to teach them the importance of metacognition. The learners need to be aware of their own learning for their success and react to that awareness. This will build their stamina, confidence and independence for their current education, for completing high school and for lifelong learning.



### English Language Arts

Each student will virtually attend ELA on a daily basis. During this time there will be synchronous learning opportunities, as well as flexible breakout rooms for peer interaction with the learning. This will be time for the teacher to provide synchronous learning opportunities that connect the students' asynchronous learning, connecting the ELA content area standards.

[Wonders: A Comprehensive PreK–6 Literacy Curriculum](#)



### Continuous Progress [What I Need Now]

Learners will be able to access necessary interventionists/service providers on a regular basis, as needed. We emphasize reading and math interventions at the elementary level.

Learners not meeting adequate academic progress with completion of work will have access to an additional layer of support, based on their need.

Depending on students' interest, this is also a time for enrichment opportunities. For example, a student or group of students may develop a personal learning plan to cover an area of interest and study together.

## ABOUT ELEMENTARY ONLINE LEARNING with 5RiversOnline

- *5RiversOnline is a collaborative partnership with six districts - Cannon Falls, Goodhue, Kenyon-Wanamingo, Lake City, Red Wing and Zumbrota Mazeppa. We have a 95 percent plus graduation rate and our students' academic achievement routinely exceeds state averages. Each of our districts provide excellent education and we are bringing that excellence to any of their students who want an online experience.*
- *Parents and families always play an important role in their children's education. With a virtual learning environment, this is especially true. Your child/children need your support to be successful with deep learning. The learner/parent/teacher team monitors progress.*
- *At the elementary level, we provide more live time with a teacher than other online programs. Teachers launch lessons live with students beginning with a morning meeting, have daily check-ins, and meet with students throughout the school day. Specialist teachers provide direct instruction in physical education, music and art.*
- *We provide support services including social workers, psychologists, English language learning, special education, and other services traditionally available at physical school buildings.*
- *The [K - 6 Learner Schedule](#) includes:*
  - **Synchronous Learning**; Students will log in to class for attendance and lesson.
  - **Asynchronous Learning**; Time is flexible; the schedule provides parents with an idea of time for student learning. Teachers are available for student and parent support. Student conferences may be scheduled.
  - **WINN; What I Need Now** is driven by student data and interest; math/reading interventions; special education services; enrichment opportunities.



7 - 12

## 5RiversOnline Learner Information

Learning in Grades 7 through 12 is founded in three anchors designed to keep the student engaged, supported, and deeply learning no matter how learners design their daily workflow.

**1**

### Advisor Advisory Cohort

- Advisors paired with advisory students in two year grade bands; 7-8, 9-10, 11-12.
- 1:1 Virtual Weekly Advisor Meeting
- Full Advisory Cohort Virtual Meetings
  - 7-8 Daily
  - 9-12 Weekly
- First link in the school to home connection
- Advisors monitor and support learning progress, including progress towards graduation.
- Advisors oversee students' Personal Learning Plan

**2**

### Scheduling

- Learners will log in to each class at least once a day; usually learners will have the option of when to do so.
- Teachers may ask learners to participate in synchronous learning as an individual or a small group as needed in order to sustain learning and course progression.
- When learners log in to their class, they will be able to see the day's assignment, related resources, and their course progression.

**3**

### Continuous Progress [What I Need Now]

- Learners are expected to maintain an appropriate pacing of work completion on a daily basis.
- Teachers take attendance in part based on the learner's daily and weekly work completion.
- Learners have the opportunity to receive the support they need to sustain learning and course progression. This can include asynchronous or synchronous formatting as well as individual or small group instruction.

## ABOUT SECONDARY ONLINE LEARNING with 5RiversOnline

- *5RiversOnline is a collaborative partnership with six districts - Cannon Falls, Goodhue, Kenyon-Wanamingo, Lake City, Red Wing and Zumbrota Mazeppa. We have a 95 percent plus graduation rate and our students' academic achievement routinely exceeds state averages. Each of our districts provide excellent education and we are bringing that excellence to any of their students who want an online experience.*
- *Parents and families always play an important role in their children's education. With a virtual learning environment, this is especially true. Your child/children need your support to be successful with deep learning. The learner/parent/advisor/teacher team monitors progress.*
- *Our secondary teachers are deep content experts, hired and trained by our schools, who use their expertise to enhance the online curriculum from [Edgenuity](#). They are skilled at building relationships with students and ensure that parents/guardians are involved to support their students' learning.*
- *We provide support services including social workers, psychologists, English language learning, special education, and other services traditionally available at physical school buildings.*
- *The [7 - 12 Learner Schedule](#) may be structured like a traditional high school day but these are placeholders for time. Learners enrolled in 5RiversOnline have the ability to flex their schedule in a way that allows them to best learn their course material and progress through each class.*
  - *School day runs from 8:00 am to 3:30 pm daily.*
  - *Grades 7 - 8 Schedules include courses in*
    - *English Language Arts*
    - *Math*
    - *Science*
    - *Social Studies*
    - *Art, Music, Physical Education, and Introduction to Career and Technical Education/CTE (quarter long classes)*
  - *Grades 9 - 12 Schedules will be based on the Graduation Requirements and Personal Learning Plans.*
  - *Grades 7 - 12 experience:*
    - **Synchronous Learning**; *Students attend class at a predetermined day and time for instruction/support.*
    - **Asynchronous Learning**; *Time is flexible; the schedule provides students and parents with an idea of time for student learning. Teachers are available for student and parent support. Teachers may also ask individuals or small groups to meet in a synchronous setting at various points in order to support student learning and course progression.*
  - **Student Support** *encompasses special education services, 504 services, English Learner services, counselor services, social work services, etc.*
- *5RiversOnline learners are expected to be engaged in active learning for at least 6 hours a day as evidenced by time on task and work completion. When, where, and how this happens can be flexible. With the exception of certain scheduled meetings, lessons, or school events, learners have the flexibility to design an asynchronous schedule that works for them.*

- C. Summer Programming:
- D. Career and Technical Education/Perkins



## **GOODHUE COUNTY EDUCATION DISTRICT #6051**

*395 Guernsey Lane, Red Wing, MN 55066 • Phone 651.388.4441 • Fax 651.388.9557*

**Member Districts:** Cannon Falls #252 • Goodhue #253 • Kenyon Wanamingo #2172 • Lake City #813 • Red Wing #256 • Zumbrota Mazeppa #2805

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May 2021

### **Career and Technical Education (CTE) / Perkins Funding**

5,745 students (9-12)

23 School Districts

25 High Schools

\$202,086.74 in Federal Funds (sec.)

6 Career Fields

16 Career Clusters

79 Career Pathways

<https://youtu.be/W-w-zdXHbk>







# GOODHUE COUNTY EDUCATION DISTRICT #6051

395 Guernsey Lane, Red Wing, MN 55066 • Phone 651.388.4441 • Fax 651.388.9557

## Member Districts:

- Cannon Falls #252 • Goodhue #253 • Kenyon Wanamingo #2172
- Lake City #813 • Red Wing #256 • Zumbrota Mazeppa #2805

May 2021

## English Learner (EL) Programming

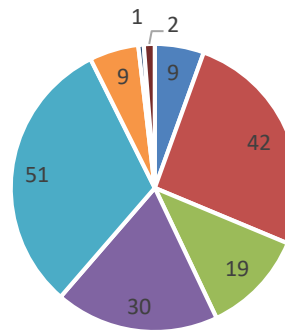
1. English Learner programming is designed to support emerging bilingual students.
2. Services currently span Grades Kindergarten through Grade 12.
3. Member School Districts receive designated EL funding from the state and GCED accesses Federal Title III funds as a Title III consortium.
4. Three intertwined goals of EL programming: (1) Language Acquisition, (2) Content Knowledge, including credit accumulation, and (3) Social Connections, including peer-to-peer and with school personnel.

## Translation and Interpretation

1. We have Limited English Proficiency (LEP) / Emerging Bilingual Families in each of our member districts.
2. We have a legal and ethical obligation to (1) ensure that our communication (both written and oral) is accessible to all families.
3. More specifically, any communication made available to non-LEP families must be made available to LEP families in their native language.
4. Translation and Interpretation is a shared responsibility and one that will continue to need to be worked on.

32

EL Student Count  
May 2021



■ Cannon Falls ■ Goodhue ■ Kenyon-Wanamingo ■ Lake City ■ Red Wing ■ Zumbrota-Mazeppa ■ St. John's (RW) ■ Walter McGinnis







## Q-Comp/WBWF Annual Report

2020-2021 Academic School Year

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**Q- Comp** was enacted through a bipartisan agreement in the Minnesota Legislature in July 2005. It is a voluntary program that allows local districts and exclusive representatives of the teachers to design and collectively bargain a plan that meets the five components of the law. The five components under Q Comp include Career Ladder/Advancement Options, Job-embedded Professional Development, Teacher Evaluation, Performance Pay, and an Alternative Salary Schedule.

The **World's Best Workforce (WBWF)** was developed in 2013 ([Minnesota Statutes, section 120B.11](#)) to ensure that school districts and charter schools in Minnesota enhance student achievement through teaching and learning supports. School boards that govern districts and charter schools are required to develop comprehensive, long-term strategic plans that address the following five WBWF goals:

- All children are ready for school.
- All third-graders can read at grade level.
- All racial and economic achievement gaps between students are closed.
- All students are ready for career and college.
- All students graduate from high school. (education.state.mn.us)

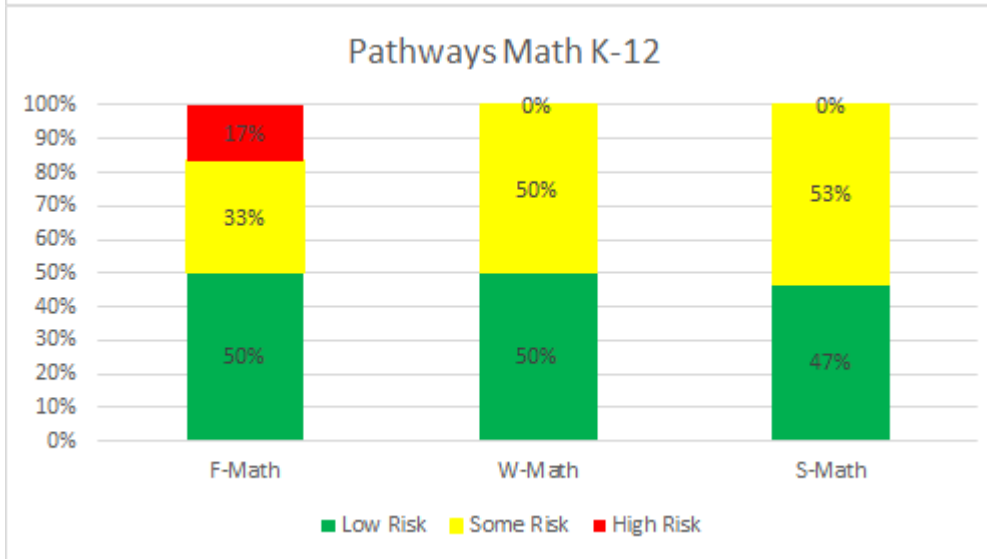
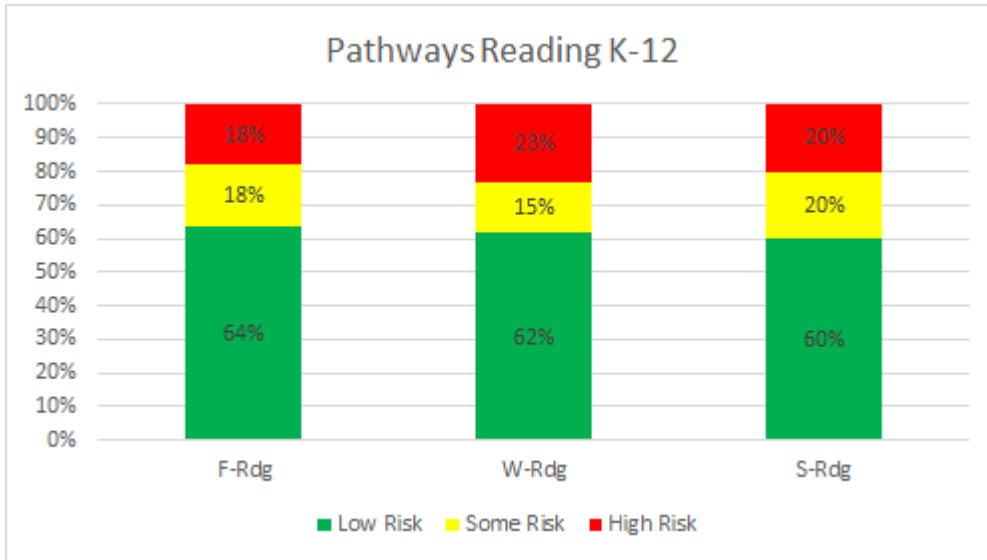
Goodhue County Education District (GCED) became a Q-Comp district in the 2016-17 academic school year, with a focus on improving literacy, which we continue. Although an education district is not required to have a WBWF plan, we combine our Q-Comp and WBWF plan goals to ensure each student has IEP (Individual Education Plan) or CLP (Continuous Learning Plan) goals to move towards each WBWF goal.

Our adults collaborate through Professional Learning Communities (PLCs). We thank and celebrate **ALL** of our staff members that collaborate and work on their professional growth together in order to affect each student's learning outcomes. We also recognize and congratulate our teacher leaders for moving our student-centered and data-driven work forward.

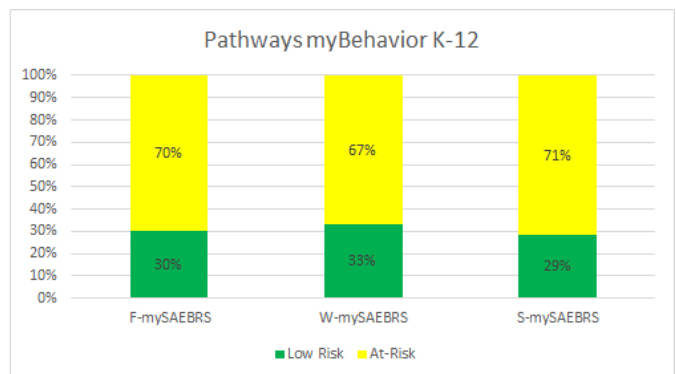
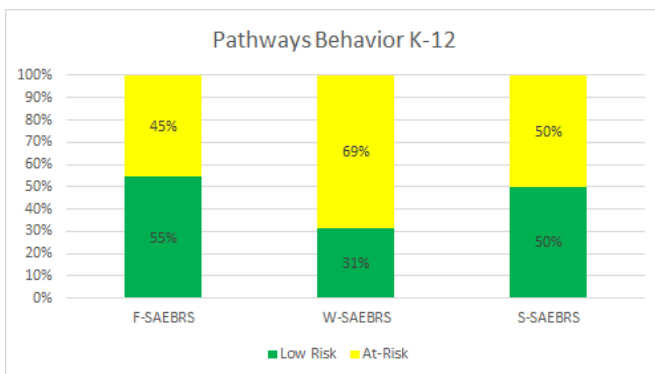
- Weston Johnson, Q-Comp/PLCs & Peer Review Leader
- Emily Grobe, PLC Leader for Elementary REACH/UPWARDS
- Tira Petersen, PLC Leader for Secondary REACH/STEP
- Katie Dunn, PLC Leader for Pathways
- Shelly Angell, PLC Leader for Social Emotional Learning (SEL)
- Molly Dodge-Brage, PLC Leader for Paraprofessionals

Our licensed staff members earned their \$500 performance pay stipend for the 2021-22 school year, based on the GCED Teacher Development and Evaluation Plan (TDE). One should consider the context of our programming – 100% of our students are at risk when they come to us and often 1+ years behind grade level – when reviewing the 2020-2021 data. In addition, this was the year of multiple learning models during COVID-19.

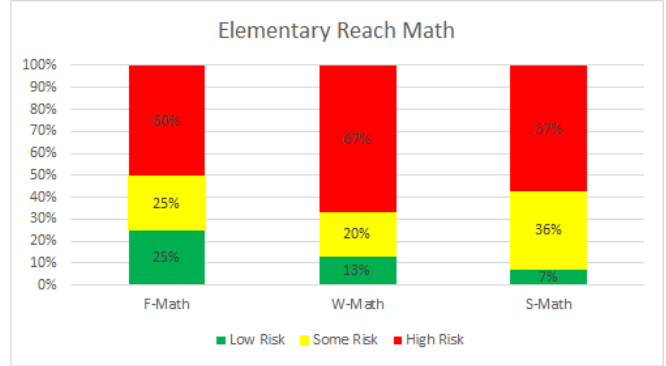
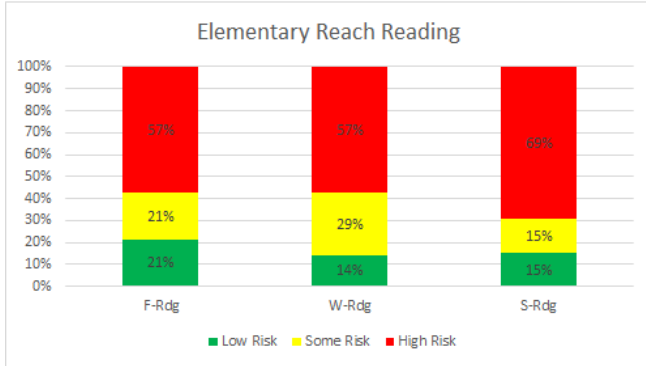
## Pathways Reading and Math



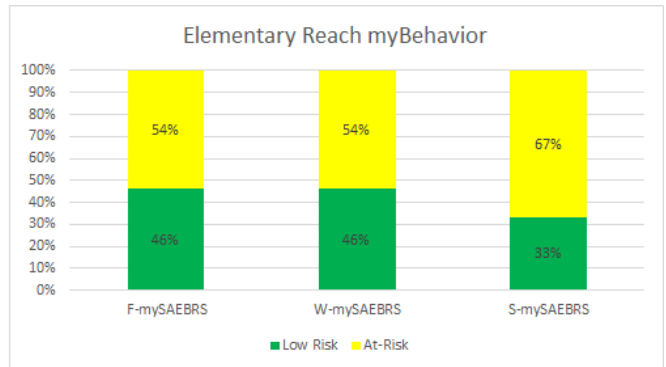
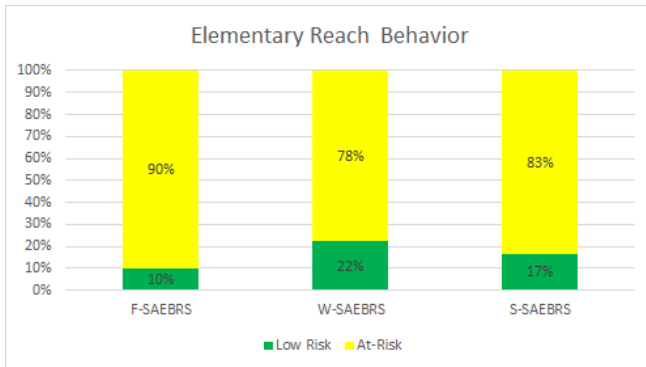
## Pathways Behavior



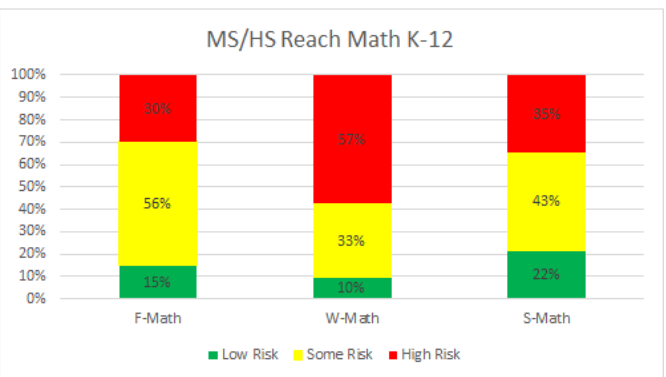
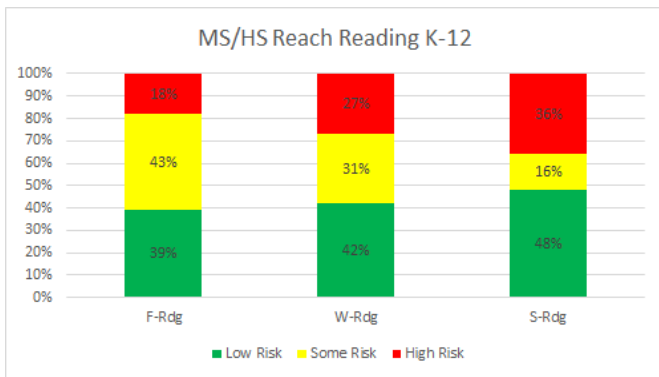
## Elementary REACH Reading and Math



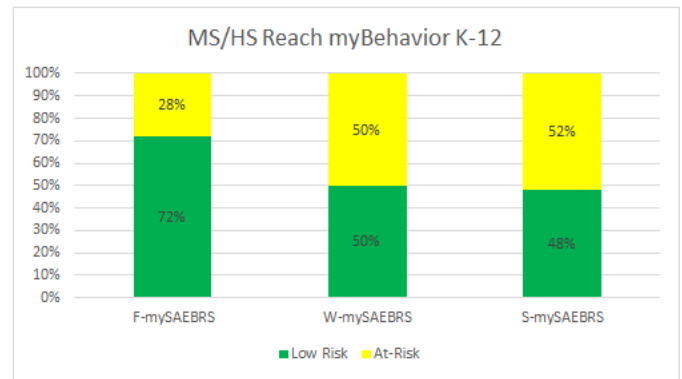
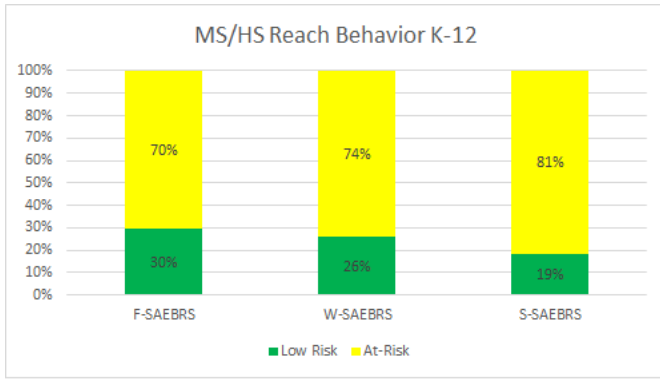
## Elementary REACH Behavior



## Secondary REACH Reading and Math

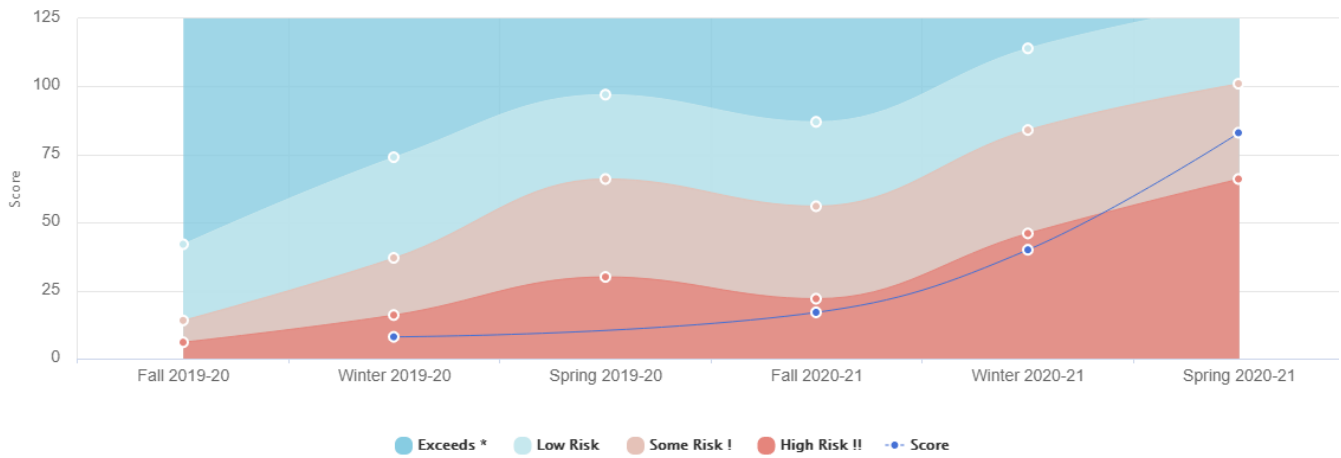


## Secondary REACH Behavior



## One Student

*The student may still be at risk, but this 3<sup>rd</sup> grade student's 2-year growth tells the importance of our story.*







# GCED Summer Symposium

## August 16 - 20, 2021

Virtual Professional Development for all of our Member Districts

### Monday, August 16, 2021

8:00 - 3:00	<a href="#">AIM, Accept, Identify, Move. Day 1 of 2</a> Mark Dixon, Ph.D. <i>Also register for <a href="#">Wednesday, 8.18.21</a>.</i>	SEL Curriculum <i>Teams Encouraged</i>
8:00 - 11:00	<a href="#">Read 180</a> Heidi Mane, HMH	Reading Intervention Program
10:15 - 12:15	<a href="#">SpringBoard Math</a> Sourcewell	Math Intervention Program <i>Math Interventionists</i>

### Tuesday, August 17, 2021

8:00 - 10:00	<a href="#">Assistive Technology:</a> Much more than you think! Monica Capra & GCED AT Team	AT <i>Special education case managers, service providers, and teachers Repeated on 8.19.21</i>
8:00 - 11:00	<a href="#">System 44</a> Heidi Mane, HMH	Foundational reading solution that provides intensive intervention for older struggling readers in grades 3-12 <i>GCED &amp; Member District Teachers</i>
10:15 - 12:15	<a href="#">High Leverage Practices 1</a> Jillynne Raymond & Council for Exceptional Children (CEC)	Instructional Practices <i>Special education teachers, instructional coaches</i>
10:15 - 12:15	<a href="#">GCED's Behavior Team Support</a>	Support for Challenging Behaviors
1:00 - 3:00	<a href="#">High Leverage Practices 2</a> Jillynne Raymond & CEC	Instructional Practices <i>Special education teachers, instructional coaches</i>

## Wednesday, August 18, 2021

8:00 - 10:00	<a href="#">FAST for School Managers</a> Weston Johnson	Full support for FAST School Managers
8:00 - 11:00	<a href="#">Math 180</a> Gloria Weinberg, HMH	MATH 180 is a comprehensive system of curriculum, instruction, assessment, and professional development designed to equip older struggling students with the knowledge, reasoning, and confidence to thrive in algebra.
8:00 - 3:00	<a href="#">AIM. Accept. Identify. Move. Day 2 of 2</a> Heather Derijke <i>Also register for <a href="#">Monday, 8.16.21.</a></i>	SEL Curriculum <i>Teams Encouraged</i>
10:15 - 12:15	<a href="#">FAST SAEBRS</a> Training Module Weston Johnson	SAEBRS = Social, Academic Emotional Behavior Risk Screener <i>Repeated 8.19.21</i>
1:00 - 3:00	<a href="#">FAST SAEBRS Implementation</a> , Problem Solving, and Q/A Weston Johnson	SAEBRS = Social, Academic Emotional Behavior Risk Screener <i>Repeated 8.19.21</i>

## Thursday, August 19, 2021

8:00 - 10:00	<a href="#">eduClimber Introduction</a> Jillynne Raymond	Data Visualization Tool <i>Anyone interested in student and system outcomes.</i> <i>Repeated 8.20.21</i>
8:00 - 10:00	<a href="#">FAST SAEBRS</a> Training Module Weston Johnson	SAEBRS = Social, Academic Emotional Behavior Risk Screener
8:00 - 3:00	<a href="#">Sunday 1</a> Winsor Learning Representative	Multisensory Reading Intervention <i>Reading interventionists, Special education teachers</i>
10:15 - 12:15	<a href="#">FAST SAEBRS Implementation</a> , Problem Solving, and Q/A Weston Johnson	SAEBRS = Social, Academic Emotional Behavior Risk Screener
10:15 - 12:15	<a href="#">Assistive Technology:</a> Much more than you think! Monica Capra & GCED AT Team	AT <i>Special education case managers, service providers, and teachers</i> <i>Repeated from 8.17.21</i>
11:00 - 2:00	<a href="#">Zones of Regulation</a> Emily Walz, The Zones	SEL Curriculum & Framework <i>Special and general education teachers, social workers, service providers, coaches</i>
1:00 - 3:00	<a href="#">FAST Progress Monitoring Training Module</a> Weston Johnson	Progress Monitoring <i>Interventionists, Teachers</i>

## Friday, August 20, 2021

8:00 - 10:00	<a href="#">FAST Progress Monitoring Training Module</a> Weston Johnson	Progress Monitoring <i>Interventionists, Teachers</i>
8:00 -11:00	<a href="#">Check &amp; Connect</a> National Check & Connect Trainer	This webinar covers the key C & C concepts, along with an outline for an ongoing process to ensure fidelity of implementation.
8:00 - 3:00	<a href="#">Sonday 2</a> Winsor Learning Representative	Multisensory Reading Intervention <i>Reading interventionists, Special education teachers</i>

- V. **Old Business:**
  - A. GCED Calendar Revision

# Goodhue County Education District 2021 - 2022 Calendar

## 5RiversOnline (5RO)

*Dates follow GCED Calendar previously approved by the School Board.*

<b>School Closed</b>
<b>Teacher PD/Work Day</b>
<b>Late Start/Tchr PLC RBEC</b>
<b>Conferences</b>
<b>First/Last Day of Quarter</b>
<b>New Teacher Orientation</b>
<b>5RO Quarterly Kick-Off</b>
<b>Potential 5RO PD/Curriculum Alignment</b>

**July 2021**

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

5RO - 0 Student/3 Staff Day

**January 2022**

Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

5RO -20 Student/21 Staff Days

- 3 - Return from Winter Break
- 21 - Last Day of Semester 1/Quarter 2
- 24 - Teacher PD/Work Day/No Students
- 25 - RBEC 1st Day of Semester 2/Quarter 3
- 26 - 5RO Orientation

- 24 - 5RO New Teacher Day
- 25 - All County New Teacher Orientation
- 26 - All County PD Day
- 27 - 5RO PD/Work Day
- 30, 31 - 5RO Teacher PD/Work Days

**August 2021**

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

5RO - 0 Student/4 Staff Days

**February 2022**

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

5RO - 19 Student/19 Staff Days

- 21 - No School/No Teachers

- 1, 2 - 5RO PD/Work Days
- 1 - 5RO Orientation
- 6 - No School (Labor Day)
- 7 - First Student Day

**September 2021**

Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

5RO - 18 Student/20 Staff Days

**March 2022**

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

5RO - 19 Student/19 Staff Days

- 10 - 5RO Virtual P-T Conf 4:00 - 7:00
- 25 - End of Quarter
- 28-31 - Spring Break

- 12 - 5RO Virtual P-T Conf 5-8 pm
- 21 - 22 - No School (MEA Break)

**October 2021**

Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
25	25	26	27	28	29	30
31						

5RO - 19 Student/19 Staff Days

**April 2022**

Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

5RO - 19 Student/19 Staff Days

- 1 - Spring Break
- 4 - 1st Day of 4th Quarter
- 5 - 5RO Orientation
- 15 - No School/No Teachers

- 5 - Last Day of Quarter 1
- 8 - 5RO Teacher PD/Work Day/No Students
- 9 - 5RO 1st Day of Quarter 2
- 10 - 5RO Orientation
- 25-26 - 5RO No School

**November 2021**

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

5RO - 19 Student/20 Staff Days

**May 2022**

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

5RO - 21 Student/21 Staff Days

- 25 - 5RO Orientation
- 30 - Memorial Day/School Closed

- 24-31 - No School 5RO Winter Break

**December 2021**

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

5RO - 17 Student/17 Staff Days

**June 2022**

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

5RO - 3 Student/4 Staff Days

- 3 - Last Student Day
  - 6 - Teacher PD/Work Day
- \*The calendar may be adjusted by the board .*

5RO - 174 Student Days  
 5RO Staff Members: 174 Student Days + 1 Day (orientation/conferences) + 10 PD/Workdays + 1 Flexible PD/Workday

VI. **New Business:**  
A. Policies with Nonsubstantive Changes

# Goodhue County Education District Policy Work

The following are revised policies for board consideration. Revisions are nonsubstantive. This requires only 1 board reading.

102	Equal Educational Opportunity	nonsubstantive
205	Open Meetings and Closed Meetings	nonsubstantive
206	Public Participation in Board Meetings/Complaints About Persons at Board Meetings and Data Privacy Considerations	nonsubstantive
209	Code of Ethics	nonsubstantive
210	Conflict of Interest - School Board Meetings	nonsubstantive
211	Criminal or Civil Action Against Education District, Education District Board Member, Employee, or Student	nonsubstantive
213	School Board Committees	nonsubstantive
214	Out-of State Travel by Education District Board Members	nonsubstantive
401	Equal Employment Opportunity	nonsubstantive
402	Disability Nondiscrimination	nonsubstantive
403	Discipline, Suspension, and Dismissal of Education District Employees	nonsubstantive
406	Public and Private Personnel Data	nonsubstantive
410	Family and Medical Leave	nonsubstantive
412	Expense Reimbursement	nonsubstantive
413	Harassment and Violence	nonsubstantive
414	Mandated Reporting of Child Neglect or Physical or Sexual Abuse	nonsubstantive
415	Mandated Reporting of Maltreatment of Vulnerable Adults	nonsubstantive
423	Employee-Student Relationships	nonsubstantive
425	Staff Development	nonsubstantive
427	Workload Limits for Certain Special Education Teachers	nonsubstantive
514	Bullying Prohibition	nonsubstantive
515	Protection and Privacy of Pupil Records	nonsubstantive
515f	Protection and Privacy of Pupil Records form	nonsubstantive
524	Internet Acceptable Use and Safety	nonsubstantive
524f	Internet Acceptable Use and Safety Agreement Form	nonsubstantive
531	Pledge of Allegiance	nonsubstantive
806	Crisis	nonsubstantive

## 102 EQUAL EDUCATIONAL OPPORTUNITY

*[Note: ~~Education-School~~ districts are required by statute to have a policy addressing these issues.]*

### I. PURPOSE

The purpose of this policy is to ensure that equal educational opportunity is provided for all students of the education district.

### II. GENERAL STATEMENT OF POLICY

47

A. The policy of the education district is to provide equal educational opportunity for all students. The education district does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, marital status, parental status, status with regard to public assistance, disability, sexual orientation, including gender identity and expression, or age. The education district also makes reasonable accommodations for disabled students.

*[Note: Part of the definition of “sexual orientation” within the Minnesota Human Rights Act (MHRA) is “having or being perceived as having a self-image or identity not traditionally associated with one’s biological maleness or femaleness,” which is how gender identity and expression gain protection under the MHRA. Minn. Stat. § 363A.03, Subd. 44.]*

B. The education district prohibits the harassment of any individual for any of the categories listed above. For information about the types of conduct that constitute violation of the education district’s policy on harassment and violence and the education district’s procedures for addressing such complaints, refer to the education district’s policy on harassment and violence.

C. This policy applies to all areas of education including academics, coursework, co-curricular and extracurricular activities, or other rights or privileges of enrollment.

D. Every education district employee shall be responsible for complying with this policy conscientiously.

E. Any student, parent, or guardian having a question regarding this policy should discuss it with the appropriate education district official as provided by policy. In the absence of a specific designee, an inquiry or a complaint should be referred to the executive director.

**Legal References:** Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
20 U.S.C. § 1681 *et seq.* (Title IX of the Education Amendments of 1972)  
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

**Cross References:** MSBA/MASA Model Policy 402 (Disability Nondiscrimination)  
MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)  
MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)

## 205 OPEN MEETINGS AND CLOSED MEETINGS

*[Note: The provisions of this policy accurately reflect the Open Meeting Law statute and are not discretionary in nature.]*

### I. PURPOSE

- A. The education district board embraces the philosophy of openness in the conduct of its business, in the belief that openness produces better programs, more efficiency in administration of programs, and an organization more responsive to public interest and less susceptible to private interest. The education district board shall conduct its business under a presumption of openness. At the same time, the education district board recognizes and respects the privacy rights of individuals as provided by law. The education district board also recognizes that there are certain exceptions to the Minnesota Open Meeting Law as recognized in statute where it has been determined that, in limited circumstances, the public interest is best served by closing a meeting of the education district board.
- B. The purpose of this policy is to provide guidelines to assure the rights of the public to be present at education district board meetings, while also protecting the individual's rights to privacy under law, and to close meetings when the public interest so requires as recognized by law.

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### II. GENERAL STATEMENT OF POLICY

- A. Except as otherwise expressly provided by statute, all meetings of the education district board, including executive sessions, shall be open to the public.
- B. Meetings shall be closed only when expressly authorized by law.

### III. DEFINITION

“Meeting” means a gathering of at least a quorum or more members of the education district board, or quorum of a committee or subcommittee of education district board members, at which members discuss, decide, or receive information as a group on issues relating to the official business of the education district board. The term does not include a chance or social gathering or the use of social media by members of a public body so long as the social media use is limited to exchanges with all members of the general public. For purposes of the Open Meeting Law, social media does not include e-mail.

### IV. PROCEDURES

- A. Meetings

1. Regular Meetings

A schedule of the regular meetings of the education district board shall be kept on file at its primary offices. If the education district board decides to hold a regular meeting at a time or place different from the time or place stated in its schedule, it shall give the same notice of the meeting as for a special meeting.

2. Special Meetings

a. For a special meeting, the education district board shall post written notice of the date, time, place, and purpose of the meeting on the principal bulletin board of the education district or on the door of the education district board's usual meeting room if there is no principal bulletin board. The education district board's actions at the special meeting are limited to those topics included in the notice.

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b. The notice shall also be mailed or otherwise delivered to each person who has filed a written request for notice of special meetings.

c. This notice shall be posted and mailed or delivered at least three days before the date of the meeting. As an alternative to mailing or otherwise delivering notice to persons who have filed a written request, the education district board may publish the notice once, at least three days before the meeting, in the official newspaper of the education district or, if none, in a qualified newspaper of general circulation within the area of the education district.

d. A person filing a request for notice of special meetings may limit the request to particular subjects, in which case the education district board is required to send notice to that person only concerning those particular subjects.

e. The education district board will establish an expiration date on requests for notice of special meetings and require refiling once each year. Not more than 60 days before the expiration date of request for notice, the education district board shall send notice of the refiling requirement to each person who filed during the preceding year.

3. Emergency Meetings

a. An emergency meeting is a special meeting called because of circumstances that, in the judgment of the education district board, require immediate consideration.

- b. If matters not directly related to the emergency are discussed or acted upon, the minutes of the meeting shall include a specific description of those matters.
- c. The education district board shall make good faith efforts to provide notice of the emergency meeting to each news medium that has filed a written request for notice if the request includes the news medium's telephone number.
- d. Notice of the emergency meeting shall be given by telephone or any other method used to notify the members of the education district board.
- e. Notice shall be provided to each news medium which has filed a written request for notice as soon as reasonably practicable after notice has been given to the education district board members. 51
- f. Notice shall include the subject of the meeting.
- g. Posted or published notice of an emergency meeting shall not be required.
- h. The notice requirements for an emergency meeting as set forth in this policy shall supersede any other statutory notice requirement for a special meeting that is an emergency meeting.

4. Recessed or Continued Meetings

If a meeting is a recessed or continued session of a previous meeting, and the time and place of the meeting was established during the previous meeting and recorded in the minutes of that meeting, then no further published or mailed notice is necessary.

5. Closed Meetings

The notice requirements of the Minnesota Open Meeting Law apply to closed meetings.

6. Actual Notice

If a person receives actual notice of a meeting of the education district board at least 24 hours before the meeting, all notice requirements are satisfied with respect to that person, regardless of the method of receipt of notice.

7. Health Pandemic or Declared Emergency

In the event of a health pandemic or an emergency declared under Minn. Stat. Ch. 12, a meeting may be conducted by telephone or other electronic means in compliance with Minn. Stat. § 13D.021.

8. Meetings Conducted by Interactive Technology

A meeting may be conducted by interactive technology, Skype, or other similar electronic means in compliance with Minn. Stat. § 13D.02.

B. Votes

The votes of education district board members shall be recorded in a journal kept for that purpose, and the journal shall be available to the public during all normal business hours at the administrative offices of the education district.

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C. Written Materials

1. In any open meeting, a copy of any printed materials, including electronic communications, relating to the agenda items prepared or distributed by the education district board or its employees and distributed to or available to all education district board members shall be available in the meeting room for inspection by the public while the education district board considers their subject matter.
2. This provision does not apply to materials not classified by law as public, or to materials relating to the agenda items of a closed meeting.

D. Data

1. Meetings may not be closed merely because the data to be discussed are not public data.
2. Data that are not public data may be discussed at an open meeting if the disclosure relates to a matter within the scope of the education district board's authority and is reasonably necessary to conduct the business or agenda item before the education district board.
3. Data discussed at an open meeting retain the data's original classification; however, a record of the meeting, regardless of form, shall be public.

E. Closed Meetings

1. Labor Negotiations Strategy

- a. The education district board may, by a majority vote in a public meeting, decide to hold a closed meeting to consider strategy for

labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals.

- b. The time and place of the closed meeting shall be announced at the public meeting. A written roll of education district board members and all other persons present at the closed meeting shall be made available to the public after the closed meeting. The proceedings shall be tape recorded, and the tape recording shall be preserved for two years after the contract discussed at the meeting is signed. The recording shall be made available to the public after all labor contracts are signed by the education district board for the current budget period.

2. Sessions Closed by Bureau of Mediation Services

All negotiations, mediation sessions, and hearings between the education district board and its employees or their respective representatives are public meetings. These meetings may be closed only by the Commissioner of the Bureau of Mediation Services (BMS). The use of recording devices, stenographic records, or other recording methods is prohibited in mediation meetings closed by the BMS.

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3. Preliminary Consideration of Charges

The education district board shall close one or more meetings for preliminary consideration of allegations or charges against an individual subject to its authority. If the education district board members conclude that discipline of any nature may be warranted as a result of those specific charges or allegations, further meetings or hearings relating to those specific charges or allegations held after that conclusion is reached must be open. A meeting must also be open at the request of the individual who is the subject of the meeting. A closed meeting must be electronically recorded at the expense of the education district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

4. Performance Evaluations

The education district board may close a meeting to evaluate the performance of an individual who is subject to its authority. The education district board shall identify the individual to be evaluated prior to closing a meeting. At its next open meeting, the education district board shall summarize its conclusions regarding the evaluation. A meeting must be open at the request of the individual who is the subject of the meeting. A closed meeting must be electronically recorded at the expense of the education district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not

available to the public.

5. Attorney-Client Meeting

A meeting may be closed if permitted by the attorney-client privilege. Attorney-client privilege applies when litigation is imminent or threatened, or when the education district board needs advice above the level of general legal advice, i.e., regarding specific acts and their legal consequences. A meeting may be closed to seek legal advice concerning litigation strategy, but the mere threat that litigation might be a consequence of deciding a matter one way or another does not, by itself, justify closing the meeting. The motion to close the meeting must specifically describe the matter to be discussed at the closed meeting, subject to relevant privacy and confidentiality considerations under state and federal law. The law does not require that such a meeting be recorded.

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6. Dismissal Hearing

- a. A hearing on the dismissal of a licensed teacher shall be public or private at the teacher's discretion. A hearing regarding placement of teachers on unrequested leave of absence shall be public.
- b. A hearing on dismissal of a student pursuant to the Pupil Fair Dismissal Act shall be closed unless the pupil, parent or guardian requests an open hearing.
- c. To the extent a teacher or student dismissal hearing is held before the education district board and is closed, the closed meeting must be electronically recorded at the expense of the education district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

7. Coaches; Opportunity to Respond

- a. If the education district board has declined to renew the coaching contract of a licensed or nonlicensed head varsity coach, it must notify the coach within 14 days of that decision.
- b. If the coach requests the reasons for the nonrenewal, the education district board must give the coach the reasons in writing within 10 days of receiving the request.
- c. On the request of the coach, the education district board must provide the coach with a reasonable opportunity to respond to the reasons at an education district board meeting.

- d. The meeting may be open or closed at the election of the coach unless the meeting is closed as required by Minn. Stat. § 13D.05, Subd. 2, to discuss educational or certain other nonpublic data.
- e. A closed meeting must be electronically recorded at the expense of the education district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

8. Meetings to Discuss Certain Not Public Data

Any portion of a meeting must be closed if the following types of data are discussed:

- a. data that would identify alleged victims or reporters of criminal sexual conduct, domestic abuse, or maltreatment of minors or vulnerable adults;
- b. active investigative data collected or created by a law enforcement agency;
- c. educational data, health data, medical data, welfare data, or mental health data that are not public data; or
- d. an individual's personal medical records.
- e. A closed meeting must be electronically recorded at the expense of the education district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

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9. Purchase and Sale of Property

- a. The education district board may close a meeting:
  - (1) to determine the asking price for real or personal property to be sold by the education district;
  - (2) to review confidential or nonpublic appraisal data; and
  - (3) to develop or consider offers or counteroffers for the purchase or sale of real or personal property.
- b. Before closing the meeting, the education district board must identify on the record the particular real or personal property that is the subject of the closed meeting.
- c. The closed meeting must be tape recorded at the expense of the

education district. The tape must be preserved for eight years after the date of the meeting and be made available to the public after all real or personal property discussed at the meeting has been purchased or sold or the education district board has abandoned the purchase or sale. The real or personal property that is the subject of the closed meeting must be specifically identified on the tape. A list of education district board members and all other persons present at the closed meeting must be made available to the public after the closed meeting.

- d. An agreement reached that is based on an offer considered at a closed meeting is contingent on its approval by the education district board at an open meeting. The actual purchase or sale must be approved at an open meeting and the purchase price or sale price is public data.

10. Security Matters

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- a. The education district board may close a meeting to receive security briefings and reports, to discuss issues related to security systems, to discuss emergency response procedures, and to discuss security deficiencies in or recommendations regarding public services, infrastructure, and facilities, if disclosure of the information discussed would pose a danger to public safety or compromise security procedures or responses.
- b. Financial issues related to security matters must be discussed and all related financial decisions must be made at an open meeting.
- c. Before closing a meeting, the education district board must refer to the facilities, systems, procedures, services, or infrastructures to be considered during the closed meeting.
- d. The closed meeting must be tape recorded at the expense of the education district and the recording must be preserved for at least four years.

11. Other Meetings

Other meetings shall be closed as provided by law, except as provided above. A closed meeting must be electronically recorded at the expense of the education district, and the recording must be preserved for at least three years after the date of the meeting. The recording is not available to the public.

F. Procedures for Closing a Meeting

The education district board shall provide notice of a closed meeting just as for an

open meeting. An education district board meeting may be closed only after a majority vote at a public meeting. Before closing a meeting, the education district board shall state on the record the specific authority permitting the meeting to be closed and shall describe the subject to be discussed.

- Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. Ch. 13D (Open Meeting Law)  
Minn. Stat. § 121A.47, Subd. 5 (Student Dismissal Hearing)  
Minn. Stat. § 122A.33, Subd. 3 (Coaches; Opportunity to Respond)  
Minn. Stat. § 122A.40, Subd. 14 (Teacher Discharge Hearing)  
Minn. Stat. § 179A.14, Subd. 3 (Labor Negotiations)  
Minn. Rules Part 5510.2810 (Bureau of Mediation Services)  
*Brown v. Cannon Falls Township*, 723 N.W.2d 31 (Minn. App. 2006)  
*Brainerd Daily Dispatch v. Dehen*, 693 N.W.2d 435 (Minn. App. 2005)  
*The Free Press v. County of Blue Earth*, 677 N.W.2d 471 (Minn. App. 2004)  
*Prior Lake American v. Mader*, 642 N.W.2d 729 (Minn. 2002)  
*Star Tribune v. Board of Education, Special School District No. 1*, 507 N.W.2d 869 (Minn. App. 1993)  
*Minnesota Daily v. University of Minnesota*, 432 N.W.2d 189 (Minn. App. 1988)  
*Moberg v. Independent School District No. 281*, 336 N.W.2d 510 (Minn. 1983)  
*Sovereign v. Dunn*, 498 N.W.2d 62 (Minn. App. 1993), *rev. denied.* (Minn. 1993)  
[Dept. of Admin. Advisory Op. No. 19-008 \(May 22, 2019\)](#)  
[Dept. of Admin. Advisory Op. No. 19-006 \(April 9, 2019\)](#)  
Dept. of Admin. Advisory Op. No. 18-019 (December 28, 2018)  
Dept. of Admin. Advisory Op. No. 17-005 (June 22, 2017)  
Dept. of Admin. Advisory Op. No. 13-009 (March 19, 2013)  
Dept. of Admin. Advisory Op. No. 12-004 (March 8, 2012)  
Dept. of Admin. Advisory Op. No. 11-004 (April 18, 2011)  
Dept. of Admin. Advisory Op. No. 10-020 (September 23, 2010)  
Dept. of Admin. Advisory Op. No. 09-020 (September 8, 2009)  
Dept. of Admin. Advisory Op. No. 08-015 (July 9, 2008)  
Dept. of Admin. Advisory Op. No. 06-027 (September 28, 2006)  
Dept. of Admin. Advisory Op. No. 04-004 (February 3, 2004)

- Cross References:** MSBA/MASA Model Policy 204 (School Board Meeting Minutes)  
MSBA/MASA Model Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)  
MSBA/MASA Model Policy 207 (Public Hearings)  
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA Service Manual, Chapter 13, School Law Bulletin “C”

(Minnesota's Open Meeting Law)

**206 PUBLIC PARTICIPATION IN EDUCATION DISTRICT BOARD MEETINGS/COMPLAINTS ABOUT PERSONS AT EDUCATION DISTRICT BOARD MEETINGS AND DATA PRIVACY CONSIDERATIONS**

**I. PURPOSE**

- A. The education district board recognizes the value of participation by the public in deliberations and decisions on education district matters. At the same time, the education district board recognizes the importance of conducting orderly and efficient proceedings, with opportunity for expression of all participants' respective views.
- B. The purpose of this policy is to provide procedures to assure open and orderly public discussion as well as to protect the due process and privacy rights of individuals under the law.

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**II. GENERAL STATEMENT OF POLICY**

- A. The policy of the education district board is to encourage discussion by persons of subjects related to the management of the education district at education district board meetings. The education district board may adopt reasonable time, place, and manner restrictions on public expression in order to facilitate free discussion by all interested parties.
- B. The education district board shall, as a matter of policy, protect the legal rights to privacy and due process of employees and students.

**III. DEFINITIONS**

- A. "Personnel data" means government data on individuals maintained because the individual is or was an employee or applicant for employment. For purposes of this policy, "employee" includes a volunteer or an independent contractor.
- B. Personnel data on current and former employees that is "public" includes:

Name; employee identification number, which must not be the employee's social security number; actual gross salary; salary range; terms and conditions of employment relationship; contract fees; actual gross pension; the value and nature of employer paid fringe benefits; the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary; bargaining unit; job title; job description; education and training background; previous work experience; date of first and last employment; the existence and status of any

complaints or charges against the employee, regardless of whether the complaint or charge resulted in a disciplinary action; the final disposition of any disciplinary action as defined in Minn. Stat. § 13.43, Subd. 2(b), together with the specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the public body; the complete terms of any agreement settling any dispute arising out of the employment relationship, including a buyout agreement as defined in Minn. Stat. § 123B.143, Subd. 2, except that the agreement must include specific reasons for the agreement if it involves the payment of more than \$10,000 of public money; work location; work telephone number; badge number; work-related continuing education; honors and awards received; and payroll time sheets or other comparable data that are only used to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data.

- C. Personnel data on current and former applicants for employment that is “public” includes: 60

Veteran status; relevant test scores; rank on eligible list; job history; education and training; and work availability. Names of applicants shall be private data except when certified as eligible for appointment to a vacancy or when applicants are considered by the appointing authority to be finalists for a position in public employment. For purposes of this subdivision, “finalist” means an individual who is selected to be interviewed by the appointing authority prior to selection.

- D. “Educational data” means data maintained by the education district which relates to a student.

- E. “Student” means an individual currently or formerly enrolled or registered in the education district, or applicants for enrollment, or individuals who receive shared time services.

- F. Data about applicants for appointments to a public body, including ~~a~~an education district board, collected by the education district as a result of the applicant's application for appointment to the public body are private data on individuals, except that the following are public: name; city of residence, except where the appointment has a residency requirement that requires the entire address to be public; education and training; employment history; volunteer work; awards and honors; prior government service; any data required to be provided or that is voluntarily provided in an application to a multimember agency pursuant to Minn. Stat. § 15.0597; and veteran status. Once an individual has been appointed to a public body, the following additional items of data are public: residential address; either a telephone number or electronic mail address where the appointee can be reached, or both at the request of the appointee; the first and last dates of service on the public body; the existence and status of any complaints or charges against an appointee; and, upon completion of an investigation of a complaint or charge against an appointee, the final investigative report unless access to the data would

jeopardize an active investigation. Any electronic mail address or telephone number provided by a public body for use by an appointee shall be public. An appointee may use an electronic mail address or telephone number provided by the public body as the designated electronic mail address or telephone number at which the appointee can be reached.

#### **IV. RIGHTS TO PRIVACY**

A. Education district employees have a legal right to privacy related to matters which may come before the education district board, including, but not limited to, the following:

1. right to a private hearing for teachers, pursuant to Minn. Stat. § 122A.40, Subd. 14 (Teachers Discharge Hearing);
2. right to privacy of personnel data as provided by Minn. Stat. § 13.43 (Personnel Data);
3. right to consideration by the education district board of certain data treated as not public as provided in Minn. Stat. § 13D.05 (Not Public Data);
4. right to a private hearing for licensed or nonlicensed head varsity coaches to discuss reasons for nonrenewal of a coaching contract pursuant to Minn. Stat. § 122A.33, Subd. 3.

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B. Education district students have a legal right to privacy related to matters which may come before the education district board, including, but not limited to, the following:

1. right to a private hearing, Minn. Stat. § 121A.47, Subd. 5 (Student Dismissal Hearing);
2. right to privacy of educational data, Minn. Stat. § 13.32 (Educational Data); 20 U.S.C. § 1232g (FERPA);
3. right to privacy of complaints as provided by child abuse reporting and discrimination laws, Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors) and Minn. Stat. Ch. 363A (Minnesota Human Rights Act).

#### **V. THE PUBLIC'S OPPORTUNITY TO BE HEARD**

The education district board will strive to give all persons an opportunity to be heard and to have complaints considered and evaluated, within the limits of the law and this policy and subject to reasonable time, place, and manner restrictions. Among the rights available to the public is the right to access public data as provided by Minn. Stat. § 13.43, Subd. 2 (Public Data).

#### **VI. PROCEDURES**

A. Agenda Items

1. Persons who wish to have a subject discussed at a public education district board meeting are encouraged to notify the executive director's office in advance of the education district board meeting. The person should provide his or her name, address, the name of group represented (if any), and the subject to be covered or the issue to be addressed.
2. Persons who wish to address the education district board on a particular subject should identify the subject and identify agenda item(s) to which their comments pertain.
3. The education district board chair will recognize one speaker at a time and will rule out of order other speakers who are not recognized. Only those speakers recognized by the chair will be allowed to speak. Comments by others are out of order. Individuals who interfere with or interrupt speakers, the education district board, or the proceedings may be directed to leave.
4. The education district board retains the discretion to limit discussion of any agenda item to a reasonable period of time as determined by the education district board. If a group or organization wishes to address the education district board on a topic, the education district board reserves the right to require designation of one or more representatives or spokespersons to speak on behalf of the group or organization.
5. Matters proposed for placement on the agenda which may involve data privacy concerns, which may involve preliminary allegations, or which may be potentially libelous or slanderous in nature shall not be considered in public, but shall be processed as determined by the education district board in accordance with governing law.
6. The education district board chair shall promptly rule out of order any discussion by any person, including education district board members, that would violate the provisions of state or federal law, this policy or the statutory rights of privacy of an individual.
7. Personal attacks by anyone addressing the education district board are unacceptable. Persistence in such remarks by an individual shall terminate that person's privilege to address the education district board.
8. Depending upon the number of persons in attendance seeking to be heard, the education district board reserves the right to impose such other limitations and restrictions as necessary in order to provide an orderly, efficient, and fair opportunity for those present to be heard.

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B. Complaints

1. Routine complaints about a teacher or other employee should first be directed to that teacher or employee or to the employee's immediate supervisor.
2. If the complaint is against an employee relating to child abuse, discrimination, racial, religious, or sexual harassment, or other activities involving an intimidating atmosphere, the complaint should be directed to the employee's supervisor or other official as designated in the education district policy governing that kind of complaint. In the absence of a designated person, the matter should be referred to the executive director.
3. Unresolved complaints from Paragraph 1. of this section or problems concerning the education district should be directed to the executive director's office.
4. Complaints which are unresolved at the executive director's level may be brought before the education district board by notifying the education district board in writing. 63

C. Open Forum

The education district board shall normally provide a specified period of time when persons may address the education district board on any topic, subject to the limitations of this policy. The education district board reserves the right to allocate a specific period of time for this purpose and limit time for speakers accordingly.

The education district board may decide to hold certain types of public meetings where the public will not be invited to address the education district board. Possible examples are work sessions and board retreats. The public will still be entitled to notice of these meetings and will be allowed to attend these meetings, but the public will not be allotted time during the meeting to address the board.

D. No Board Action at Same Meeting

Except as determined by the education district board to be necessary or in an emergency, the education district board will not take action at the same meeting on an item raised for the first time by the public.

## VII. PENALTIES FOR VIOLATION OF DATA PRIVACY

- A. The education district is liable for damages, costs and attorneys' fees, and, in the event of a willful violation, punitive damages for violation of state data privacy laws. (Minn. Stat. § 13.08, Subd. 1)
- B. A person who willfully violates data privacy or whose conduct constitutes the knowing unauthorized acquisition of not public data is guilty of a misdemeanor.

(Minn. Stat. § 13.09)

- C. In the case of an employee, willful violation of the Minnesota data practices law, Chapter 13, and any rules adopted thereunder, including any action subject to a criminal penalty, constitutes just cause for suspension without pay or dismissal. (Minn. Stat. § 13.09)

- Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 13.43 (Personnel Data)  
Minn. Stat. § 13.601, Subd. 3 (Applicants for Appointment)  
Minn. Stat. § 13D.05 (Open Meeting Law)  
Minn. Stat. § 121A.47, Subd. 5 (Student Dismissal Hearing)  
Minn. Stat. § 122A.33, Subd. 3 (Coaches; Opportunity to Respond)  
Minn. Stat. § 122A.40, Subd. 14 (Teacher Discharge Hearing)  
Minn. Stat. § 122A.44 (Contracting with Teachers)  
Minn. Stat. § 123B.02, Subd. 14 (Employees; Contracts for Services) 64  
Minn. Stat. § 123B.143, Subd. 2 (Disclose Past Buyouts or Contract is Void)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)  
Minn. Op. Atty. Gen. 852 (July 14, 2006)
- Cross References:** MSBA/MASA Model Policy 205 (Open Meetings and Closed Meetings)  
MSBA/MASA Model Policy 207 (Public Hearings)  
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA Service Manual, Chapter 13, School Law Bulletin “C” (Minnesota’s Open Meeting Law)  
MSBA Service Manual, Chapter 13, School Law Bulletin “I” (School Records – Privacy – Access to Data)

## 209 CODE OF ETHICS

### I. PURPOSE

The purpose of this policy is to assist the individual ~~school~~education district board member in understanding his or her role as part of ~~a~~an ~~school~~education district board and in recognizing the contribution that each member must make to develop an effective and responsible ~~school~~education district board.

### II. GENERAL STATEMENT OF POLICY

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Each ~~school~~education district board member shall follow the code of ethics stated in this policy.

#### A. AS A MEMBER OF THE ~~SCHOOL~~EDUCATION DISTRICT BOARD, I WILL:

1. Attend ~~school~~education district board meetings.
2. Come to the meetings prepared for discussion of the agenda items.
3. Listen to the opinions and views of others (including, but not limited to, other ~~school~~education district board members, administration, staff, students, and community members).
4. Vote my conscience after informed discussion, unless I abstain because a conflict of interest exists.
5. Support the decision of the ~~school~~education district board, even if my position concerning the issue was different.
6. Recognize the integrity of my predecessors and associates and appreciate their work.
7. Be primarily motivated by a desire to provide the best possible education for the students of my ~~school~~education-district.
8. Inform myself about the proper duties and functions of ~~a~~an ~~school~~education district board member.

#### B. IN PERFORMING THE PROPER FUNCTIONS OF ~~A~~AN ~~SCHOOL~~EDUCATION DISTRICT BOARD MEMBER, I WILL:

1. Focus on education policy as much as possible.
2. Remember my responsibility is to set policy – not to implement policy.
3. Consider myself a trustee of public education and do my best to protect, conserve, and advance its progress.
4. Recognize that my responsibility, exercised through the actions of the school education district board as a whole, is to see that the schools education district programs are properly run – not to run them myself.
5. Work through the superintendent executive director – not over or around the superintendent executive director.
6. Delegate the implementation of school education district board decisions to the superintendent executive director.

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C. TO MAINTAIN RELATIONS WITH OTHER MEMBERS OF THE SCHOOL EDUCATION DISTRICT BOARD, I WILL:

1. Respect the rights of others to have and express opinions.
2. Recognize that authority rests with the school education district board in legal session – not with the individual members of the school education district board except as authorized by law.
3. Make no disparaging remarks, in or out of school education district board meetings, about other members of the school education district board or their opinions.
4. Keep an open mind about how I will vote on any proposition until the board has met and fully discussed the issue.
5. Make decisions by voting in school education district board meetings after all sides of debatable questions have been presented.
6. Insist that committees be appointed to serve only in an advisory capacity to the school education district board.

D. IN MEETING MY RESPONSIBILITIES TO MY COMMUNITY, I WILL:

1. Attempt to appraise and plan for both the present and future educational needs of the school education-district and community.
2. Attempt to obtain adequate financial support for the school education district district's programs.
3. Insist that business transactions of the school education-district be ethical

and open.

4. Strive to uphold my responsibilities and accountability to the taxpayers in my school education-district.

E. IN WORKING WITH THE SUPERINTENDENT EXECUTIVE DIRECTOR OF SCHOOL EDUCATION DISTRICTS AND STAFF, I WILL:

1. Hold the superintendent executive director responsible for the administration of the school education-district.
2. Give the superintendent executive director authority commensurate with his or her responsibilities.
3. Assure that the school education-district will be administered by the best professional personnel available.
4. Consider the recommendation of the superintendent executive director in hiring all employees.
5. Participate in school education district board action after considering the recommendation of the superintendent executive director and only after the superintendent executive director has furnished adequate information supporting the recommendation.
6. Insist the superintendent executive director keep the school education district board adequately informed at all times.
7. Offer the superintendent executive director counsel and advice.
8. Recognize the status of the superintendent executive director as the chief executive officer and a non-voting, ex officio member of the school education district board.
9. Refer all complaints to the proper administrative officer or insist that they be presented in writing to the whole school education district board for proper referral according to the chain of command.
10. Present any personal criticisms of employees to the superintendent executive director.
11. Provide support for the superintendent executive director and employees of the school education-district so they may perform their proper functions on a professional level.

F. IN FULFILLING MY LEGAL OBLIGATIONS AS A—AN SCHOOL EDUCATION DISTRICT BOARD MEMBER, I WILL:

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1. Comply with all federal, state, and local laws relating to my work as a school education district board member.
2. Comply with all school education-district policies as adopted by the school education district board.
3. Abide by all rules and regulations as promulgated by the Minnesota Department of Education and other state and federal agencies with jurisdiction over school education districts.
4. Recognize that school education-district business may be legally transacted only in an open meeting of the school education district board.
5. Avoid conflicts of interest and refrain from using my school education district board position for personal gain.
6. Take no private action that will compromise the school education district board or administration. 68
7. Guard the confidentiality of information that is protected under applicable law.

***Legal References:*** Minn. Stat. § 123B.02, Subd. 1 (School District Powers)  
Minn. Stat. § 123B.09 (School Board Powers)  
Minn. Stat. § 123B.143, Subd. 1 (Superintendent)

***Cross References:*** MSBA Service Manual, Chapter 1, School Board Member Code of Ethics

## **210 CONFLICT OF INTEREST – EDUCATION DISTRICT BOARD MEMBERS**

### **I. PURPOSE**

The purpose of this policy is to observe state statutes regarding conflicts of interest and to engage in education district business activities in a fashion designed to avoid any conflict of interest or the appearance of impropriety.

### **II. GENERAL STATEMENT OF POLICY**

It is the policy of the education district board to contract for goods and services in conformance with statutory conflict of interest laws and in a manner that will avoid any conflict of interest or the appearance thereof. Accordingly, the education district board will contract under the statutory exception provisions only when it is clearly in the best interest of the education district because of limitations that may exist on goods or services otherwise available to the education district.

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### **III. GENERAL PROHIBITIONS AND RECOGNIZED STATUTORY EXCEPTIONS**

- A. An education district board member who is authorized to take part in any manner in making any sale, lease, or contract in his or her official capacity shall not voluntarily have a personal financial interest in that sale, lease, or contract or personally benefit financially therefrom.
- B. In the following circumstances, however, the education district board may as an exception, by unanimous vote, contract for goods or services with an education district board member of the education district:
  - 1. In the designation of a bank or savings association, in which an education district board member is interested, as an authorized depository for education district funds and as a source of borrowing, provided such deposited funds are protected in accordance with Minn. Stat. Ch. 118A. Any education district board member having said interest shall disclose that interest and the interest shall be entered upon the minutes of the education district board. Disclosure must be made when such bank or savings association is first designated as a depository or source of borrowing, or when such education district board member is elected, whichever is later. Disclosure serves as notice of the interest and must only be made once;
  - 2. The designation of an official newspaper, or publication of official matters therein, in which the education district board member is interested when it

is the only newspaper complying with statutory requirements relating to the designation or publication;

3. A contract with a cooperative association of which the education district board member is a shareholder or stockholder but not an officer or manager;
4. A contract for which competitive bids are not required by law. A contract made under this exception will be void unless the following procedures are observed:
  - a. The education district board must authorize the contract in advance of its performance by adopting a resolution setting out the essential facts and determining that the contract price is as low as or lower than the price at which the goods or services could be obtained elsewhere.
  - b. In the case of an emergency when the contract cannot be authorized in advance, payment of the claims must be authorized by a like resolution wherein the facts of the emergency are also stated.
  - c. Before a claim is paid, the interested education district board member must file with the clerk of the education district board an affidavit stating:
    - (1) The name of the education district board member and the office held;
    - (2) An itemization of the goods or services furnished;
    - (3) The contract price;
    - (4) The reasonable value;
    - (5) The interest of the education district board member in the contract; and
    - (6) That to the best of the education district board member's knowledge and belief, the contract price is as low as, or lower than, the price at which the goods or services could be obtained from other sources.
5. An education district board member may contract with the education district to provide construction materials or services, or both, when the sealed bid process is used. When the contract comes before the education district board for consideration, the interested education district board member may not vote on the contract.

6. An education district board member may rent space in a public facility at a rate commensurate with that paid by other members of the public.
- C. In the following circumstances, the education district board may as an exception, by majority vote at a meeting where all education district board members are present, contract for services with an education district board member of the education district: An education district board member may be newly employed or may continue to be employed by the education district as an employee where there is a reasonable expectation on July 1, or at the time the contract is entered into or extended, that the amount to be earned by that education district board member under that contract or employment relationship, will not exceed \$8,000 in that fiscal year. If the education district board member does not receive majority approval to be initially employed or to continue in employment at a meeting where all education district board members are present, that employment must be immediately terminated and that education district board member will have no further rights to employment while serving as an education district board member in the education district. 71
  - D. The education district board may contract with a class of education district employees, such as teachers or custodians, where the spouse of an education district board member is a member of the class of employees contracting with the education district board and the employee spouse receives no special monetary or other benefit that is substantially different from the benefits that other members of the class receive under the employment contract. In order for the education district board to invoke this exception, it must have a majority of disinterested education district board members vote to approve the contract, direct the education district board member spouse to abstain from voting to approve the contract, and publicly set out the essential facts of the contract at the meeting where the contract is approved.

#### **IV. LIMITATIONS ON RELATED EMPLOYEES**

- A. The education district board can hire or dismiss teachers only at duly called meetings. Where a husband and wife, brother and sister, or two brothers or sisters, constitute a quorum, no contract employing a teacher may be made or authorized except upon the unanimous vote of the full education district board.
- B. The education district board may not employ any teacher related by blood or marriage to an education district board member, within the fourth degree as computed by the civil law, except by a unanimous vote of the full education district board.

#### **V. CONFLICTS PRIOR TO TAKING OFFICE**

An education district board member with personal financial interest in a sale, lease, or contract with the education district which was entered before the education district board member took office and presents an actual or potential conflict of interest, shall

immediately notify the education district board of such interest. It shall thereafter be the responsibility of the education district board member to refrain from participating in any action relating to the sale, lease, or contract. At the time of renewal of any such sale, lease, or contract, the education district board may enter into or renew such sale, lease, or contract only if it falls within one of the enumerated exceptions for contracts relating to goods or services provided above and if the procedures provided in this policy are followed.

## **VI. DETERMINATION AS TO WHETHER A CONFLICT OF INTEREST EXISTS**

The determination as to whether a conflict of interest exists is to be made by the education district board. Any education district board member who has an actual or potential conflict shall notify the education district board of such conflict immediately. The education district board member shall thereafter cooperate with the education district board as necessary for the education district board to make its determination.

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***Legal References:*** Minn. Stat. § 122A.40, Subd. 3 (Teacher Hiring, Dismissal)  
Minn. Stat. § 123B.195 (Board Member's Right to Employment)  
Minn. Stat. § 471.87 (Public Officers; Interest in Contract; Penalty)  
Minn. Stat. § 471.88, Subds. 2, 3, 4, 5, 12, 13, and 21 (Exceptions)  
Minn. Stat. § 471.89 (Contract, When Void)  
Op. Atty. Gen. 437-A-4, March 15, 1935  
Op. Atty. Gen. 90-C-5, July 30, 1940  
Op. Atty. Gen. 90-A, August 14, 1957

***Cross References:*** MSBA/MASA Model Policy 101 (Legal Status of the School Board)  
MSBA/MASA Model Policy 209 (Code of Ethics)  
MSBA Service Manual, Chapter 1, School District Governance, Powers and Duties

**211 CRIMINAL OR CIVIL ACTION AGAINST SCHOOLEDUCATION -DISTRICT, SCHOOLEDUCATION DISTRICT BOARD MEMBER, EMPLOYEE, OR STUDENT**

**I. PURPOSE**

The purpose of this policy is to provide guidance as to the education district's position, rights, and responsibilities when a civil or criminal action is pending against the education district, or an education district board member, education district employee, or student.

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**II. GENERAL STATEMENT OF POLICY**

- A. The education district recognizes that, when civil or criminal actions are pending against a education district board member, education district employee, or student, the education district may be requested or required to take action.
- B. In responding to such requests and/or requirements, the education district will take such measures as are appropriate to its primary mission of providing for the education of students in an environment that is safe for staff and students and is conducive to learning.
- C. The education district acknowledges its statutory obligations with respect to providing assistance to education district board members and teachers who are sued in connection with performance of education district duties. Collective bargaining agreements and education district policies may also apply.

**III. CIVIL ACTIONS**

- A. Pursuant to Minn. Stat. § 466.07, Subd. 1, the education district shall defend and indemnify any education district board member or education district employee for damages in education district-related litigation, including punitive damages, claimed or levied against the education district board member or employee, provided that he or she was acting in the performance of the duties of the position and was not guilty of malfeasance, willful neglect of duty, or bad faith.
- B. Pursuant to Minn. Stat. §123B.25(b), with respect to teachers employed by the education district, upon written request of the teacher involved, the education district shall provide legal counsel for any education district teacher against whom a claim is made or action is brought for recovery of damages in any tort action involving physical injury to any person or property or for wrongful death arising out of or in connection with the employment of the teacher with the education

district. The education district will choose legal counsel after consultation with the teacher.

C. Data Practices

Educational data and personnel data maintained by the education district may be sought as evidence in a civil proceeding. The education district will release the data only pursuant to the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and to the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g and related regulations. When an employee is subpoenaed and is expected to testify regarding educational data or personnel data, he or she is to inform the building administrator or designated supervisor, who shall immediately inform the ~~executive~~ director or designee. No education district board member or employee may release data without consultation in advance with the education district official who is designated as the authority responsible for the collection, use, and dissemination of data.

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D. Service of Subpoenas

~~It is the~~The policy of the education district is that its officers and employees will normally not be involved in providing service of process for third parties in the school setting.

E. Leave to Testify

Leave for employees appearing in court, either when sued or under subpoena to testify, will be considered in accordance with education district personnel policies and applicable collective bargaining agreements.

#### IV. **CRIMINAL CHARGES OR CONDUCT**

A. Employees

1. The education district expects that its employees serve as positive role models for students. As role models for students, employees have a duty to conduct themselves in an exemplary manner.
2. If the education district receives information relating to activities of a criminal nature by an employee, the education district will investigate and take appropriate disciplinary action, which may include discharge, subject to education district policies, statutes, and provisions of applicable collective bargaining agreements.
3. Pursuant to Minn. Stat. § 123B.02, Subd. 20, if reimbursement for a criminal defense is requested by ~~a~~an education district employee, the education district board may, after consulting with its legal counsel, reimburse the employee for any costs and reasonable attorney fees incurred by the employee to defend criminal charges brought against the

employee arising out of the performance of duties for the education district. The decision as to whether to reimburse shall be made in the discretion of the education district board. ~~A~~An education district board member who is a witness or an alleged victim in the case may not vote on the reimbursement. If a quorum of the education district board is disqualified from voting on the reimbursement, the reimbursement must be approved by a judge of the district court.

B. Students

The education district has an interest in maintaining a safe and healthful environment and in preventing disruption of the educational process. In order to further that interest, the education district will take appropriate action regarding students convicted of crimes that relate to the education district environment.

C. Criminal Investigations

1. ~~It is the~~The policy of the education district is to cooperate with law enforcement officials. The education district will make all efforts, however, to encourage law enforcement officials to question students and employees outside of education district hours and off education district premises unless there are extenuating circumstances or the matter being investigated is education district-related, or as otherwise provided by law.
2. If such questioning at education district is unavoidable, the education district will attempt to maintain confidentiality, to avoid embarrassment to students and employees and to avoid disruption of the educational program. The education district will attempt to notify parents of a student under age 18 that police will be questioning their child. Normally, the executive director, principal, or other appropriate education district official will be present during the interview, except as otherwise required by law (Minn. Stat. § 626.556, Subd. 10), or as otherwise determined in consultation with the parent or guardian.

D. Data Practices

The education district will release to juvenile justice and law enforcement authorities educational and personnel data only in accordance with Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act) and 20 U.S.C. § 1232g (FERPA).

V. **STATEMENTS WHEN LITIGATION IS PENDING**

The education district recognizes that when a civil or criminal action is commenced or pending, parties to the lawsuit have particular duties in reference to persons involved or named in the lawsuit, as well as insurance carrier(s). Therefore, education district board members or education district employees shall make or release statements in that situation only in consultation with legal counsel.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 123B.02, Subd. 20 (Legal Counsel, Reimbursement)  
Minn. Stat. § 123B.25 (b) (Actions Against Teachers)  
Minn. Stat. § 466.07, Subd. 1 (Indemnification)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)  
42 U.S.C. § 1983 (Civil Action for Depriving Rights)  
Minn. Op. Atty. Gen. 169 (Mar. 7, 1963)  
Minn. Op. Atty. Gen. 169 (Nov. 3, 1943)  
*Dyppress v. School Committee of Boston*, 446 N.E.2d 1099 (Mass. App. Ct. 1983)  
*Wood v. Strickland*, 420 U.S. 308, 95 S.Ct. 992, 43 L.Ed.2d 214 (1975)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
MSBA/MASA Model Policy 408 (Subpoena of a School District Employee)  
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

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## 213 SCHOOL EDUCATION DISTRICT BOARD COMMITTEES

### I. PURPOSE

The purpose of this policy is to provide for the structure and the operation of committees or subcommittees of the school education district board.

### II. GENERAL STATEMENT OF POLICY

- A. It is the policy of the school education district board to designate school education district board committees or subcommittees when it is determined that a committee process facilitates the mission of the school education district board. 77
- B. The school education district board has determined that certain permanent standing committees, as described in this policy, do facilitate the operation of the school education district board and the school education -district.
- C. ~~A~~ An school education district board committee or subcommittee will be formed by school education district board resolution which shall outline the duties and purpose of the committee or subcommittee.
- D. A committee or subcommittee is advisory in nature and has only such authority as specified by the school education district board.
- E. The school education district board will receive reports or recommendations from a committee or subcommittee for consideration. The school education district board, however, retains the right and has the duty to make all final decisions related to such reports or recommendations.
- F. The school education district board also may establish such ad hoc committees for specific purposes as it deems appropriate.
- G. The school education district board reserves the right to limit, create or abolish any standing or ad hoc committee as it deems appropriate.
- H. A committee of the school education district board shall not appoint a subcommittee of that committee without approval of the school education district board.

### III. APPOINTMENT OF COMMITTEES

- A. The school education district board hereby appoints the following standing

committees:

1. ~~Audit.~~Meet and Confer.
2. Policy.
3. ~~Building and Grounds.~~Technology.
4. Negotiations Committee(s) for various employee groups.
5. Insurance.

B. The ~~school~~education district board will establish, by resolution, for each standing or ad hoc committee the number of members, the term and the charge or mission of each such committee.

C. The ~~school~~education district board ~~chair shall appoint~~will determine the members of each standing or ad hoc committee ~~and designate the chair thereof~~during the annual organizational meeting.

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#### IV. PROCEDURES FOR SCHOOLEDUCATION DISTRICT BOARD COMMITTEES

- A. All meetings of committees or subcommittees shall be open to the public in compliance with the Open Meeting Law, and notice shall be given as prescribed by law.
- B. A committee or subcommittee shall act only within the guidelines and mission established for that committee or subcommittee by the ~~school~~education district board.
- C. Actions of a committee or subcommittee shall be by majority vote and be consistent with the governing rules of the ~~school~~education district board.
- D. The committee or subcommittee shall designate a secretary who will record the minutes of actions of the ~~school~~education district board committee.
- E. The power of a committee or subcommittee of the ~~school~~education district board is advisory only and is limited to making recommendations to the ~~school~~education district board.
- F. A committee or subcommittee of the ~~school~~education district board shall, when appropriate, clarify in any dealings with the public that its powers are only advisory to the ~~school~~education district board.

*Legal References:* Minn. Stat. Ch. 13D (Open Meeting Law)

***Cross References:*** MSBA/MASA Model Policy 201 (Legal Status of the School Board)  
MSBA/MASA Model Policy 203 (Operation of the School Board –  
Governing Rules)  
MSBA Service Manual, Chapter 13, School Law Bulletin “C”  
(Minnesota’s Open Meeting Law)

**214 OUT-OF-STATE TRAVEL BY SCHOOL EDUCATION DISTRICT BOARD MEMBERS**

*[Note: School districts are required by statute to adopt a policy addressing this issue.]*

**I. PURPOSE**

The purpose of this policy is to control out-of-state travel by school education district board members as required by law.

**II. GENERAL STATEMENT OF POLICY**

School Education district board members have an obligation to become informed on the proper duties and functions of a school education district board member, to become familiar with issues that may affect the school education -district, to acquire a basic understanding of school education district finance and budgeting, and to acquire sufficient knowledge to comply with federal, state, and local laws, rules, regulations, and school education -district policies that relate to their functions as school education district board members. Occasionally, it may be appropriate for school education district board members to travel out of state to fulfill their obligations.

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**III. APPROPRIATE TRAVEL**

Travel outside the state is appropriate when the school education district board finds it proper for school education district board members to acquire knowledge and information necessary to allow them to carry out their responsibilities as school education district board members. Travel to regional or national meetings of the National School Boards Association is presumed to fulfill this purpose. Travel to other out-of-state meetings for which the member intends to seek reimbursement from the school education -district should be preapproved by the school education district board.

**IV. REIMBURSABLE EXPENSES**

Expenses to be reimbursed may include transportation, meals, lodging, registration fees, required materials, parking fees, tips, and other reasonable and necessary school education district district-related expenses.

**V. REIMBURSEMENT**

A. Requests for reimbursement must be itemized on the official school education district form and are to be submitted to the designated administrator. Receipts for lodging, commercial transportation, registration, and other reasonable and necessary expenses must be attached to the reimbursement form.

- B. Automobile travel shall be reimbursed at the mileage rate set by the school education district board. Commercial transportation shall reflect economy fares and shall be reimbursed only for the actual cost of the trip.
- C. Amounts to be reimbursed shall be within the school education district board's approved budget allocations, including attendance at workshops and conventions.

## VI. ESTABLISHMENT OF DIRECTIVES AND GUIDELINES

The superintendent executive director shall develop a schedule of reimbursement rates for school education -district business expenses, including those expenses requiring advance approval and specific rates of reimbursement. The superintendent executive director shall also develop directives and guidelines to address methods and times for submission of requests for reimbursement.

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**Legal References:** Minn. Stat. § 123B.09, Subd. 2 (School Board Member Training)  
Minn. Stat. § 471.661 (Out-of-State Travel)  
Minn. Stat. § 471.665 (Mileage Allowances)  
Minn. Op. Atty. Gen. 1035 (Aug. 23, 1999) (Retreat Expenses)  
Minn. Op. Atty. Gen. 161b-12 (Aug. 4, 1997) (Transportation Expenses)

**Cross References:** MSBA/MASA Model Policy 212 (School Board Member Development)  
MSBA/MASA Model Policy 412 (Expense Reimbursement)

## 401 EQUAL EMPLOYMENT OPPORTUNITY

~~*[Note: School districts are not required by statute to have a policy addressing these issues. However, the Equal Employment Opportunity Commission strongly encourages the adoption of a policy and will look for such a policy during accreditation visits, audits, or investigations.]*~~

### I. PURPOSE

The purpose of this policy is to provide equal employment opportunity for all applicants for education district employment and education district employees.

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### II. GENERAL STATEMENT OF POLICY

A. The policy of the education district is to provide equal employment opportunity for all applicants and employees. The education district does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, including gender identity or expression, age, family care leave status, or veteran status. The education district also makes reasonable accommodations for disabled employees.

~~*[Note: The Minnesota Human Rights Act defines "sexual orientation" to include "having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness." Minn. Stat. § 363A.03, Subd. 44.]*~~

B. The education district prohibits the harassment of any individual for any of the categories listed above. For information about the types of conduct that constitute impermissible harassment and the education district's internal procedures for addressing complaints of harassment, please refer to the education district's policy on harassment and violence.

C. This policy applies to all areas of employment including hiring, discharge, promotion, compensation, facilities, or privileges of employment.

D. Every education district employee shall be responsible for following this policy.

E. Any person having a question regarding this policy should discuss it with

Cheryl Johnson, Executive Director

395 Guernsey Lane

Red Wing, MN 55066

cjohnson@gced.k12.mn.us

**Legal References:** Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)  
29 U.S.C. § 2615 (Family and Medical Leave Act)  
38 U.S.C. § 4211 *et seq.* (Employment and Training of Veterans)  
38 U.S.C. § 4301 *et seq.* (Employment and Reemployment Rights of Members of the Uniformed Services)  
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)  
42 U.S.C. § 12101 *et seq.* (Equal Opportunity for Individuals with Disabilities)

**Cross References:** MSBA/MASA Model Policy 402 (Disability Nondiscrimination)  
MSBA/MASA Model Policy 405 (Veteran's Preference)  
MSBA/MASA Model Policy 413 (Harassment and Violence)

## 402 DISABILITY NONDISCRIMINATION POLICY

*[Note: School districts are required by statute to have a policy addressing these issues.]*

### I. PURPOSE

The purpose of this policy is to provide a fair employment setting for all persons and to comply with state and federal law.

### II. GENERAL STATEMENT OF POLICY

- A. The education district shall not discriminate against qualified individuals with disabilities because of the disabilities of such individuals in regard to job application procedures, hiring, advancement, discharge, compensation, job training, and other terms, conditions, and privileges of employment. 84
- B. The education district shall not engage in contractual or other arrangements that have the effect of subjecting its qualified applicants or employees with disabilities to discrimination on the basis of disability. The education district shall not exclude or otherwise deny equal jobs or job benefits to a qualified individual because of the known disability of an individual with whom the qualified individual is known to have a relationship or association.
- C. The education district shall make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless the accommodation would impose undue hardship on the operation of the business of the education district.
- D. Any job applicant or employee wishing to discuss the need for a reasonable accommodation, or other matters related to a disability or the enforcement and application of this policy, should contact Cheryl Johnson, Executive Director, 395 Guernsey Lane, Red Wing, MN 55066, 651-388-4441, [cjohnson@gced.k12.mn.us](mailto:cjohnson@gced.k12.mn.us). This individual is the education district's appointed ADA/Section 504 coordinator.

**Legal References:** Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)  
42 U.S.C., Ch. 126 § 12112 (Americans with Disabilities Act)  
29 C.F.R. Part 32  
34 C.F.R. Part 35  
34 C.F.R. Part 104

**Cross References:** MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)

**403 DISCIPLINE, SUSPENSION, AND DISMISSAL OF ~~SCHOOL~~EDUCATION DISTRICT EMPLOYEES**

**I. PURPOSE**

The purpose of this policy is to achieve the effective operation of the ~~school~~education district's programs through the cooperation of all employees under a system of policies and rules applied fairly and uniformly.

**II. GENERAL STATEMENT OF POLICY**

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The disciplinary process described herein is designed to utilize progressive steps, where appropriate, to produce positive corrective action. While the ~~school~~education district intends that in most cases progressive discipline will be administered, the specific form of discipline chosen in a particular case and/or the decision to impose discipline in a manner otherwise, is solely within the discretion of the ~~school~~education district.

**III. DISCIPLINE**

A. Violation of School Laws and Rules

The form of discipline imposed for violations of school laws and rules may vary from an oral reprimand to termination of employment or discharge depending upon factors such as the nature of the violation, whether the violation was intentional, knowing and/or willful and whether the employee has been the subject of prior disciplinary action of the same or a different nature. School laws and rules to which this provision applies include:

1. policies of the ~~school~~education district;
2. directives and/or job requirements imposed by administration and/or the employee's supervisor; and
3. federal, state and local laws, rules and regulations, including, but not limited to, the rules and regulations adopted by federal and state agencies.

B. Substandard Performance

An employee's substandard performance may result in the imposition of discipline ranging from an oral reprimand to termination of employment or discharge. In most instances, discipline imposed for the reason of substandard performance will follow a progressive format and will be accompanied by guidance, help and

encouragement to improve from the employee's supervisor and reasonable time for correction of the employee's deficiency.

C. Misconduct

Misconduct of an employee will result in the imposition of discipline consistent with the seriousness of the misconduct. Conduct which falls into this category includes, but is not limited to:

1. unprofessional conduct;
2. failure to observe rules, regulations, policies and standards of the school education district and/or directives and orders of supervisors and any other act of an insubordinate nature;
3. continuing neglect of duties in spite of oral warnings, written warnings and/or other forms of discipline;
4. personal and/or immoral misconduct;
5. use of illegal drugs, alcohol or any other chemical substance on the job or any use off the job which impacts on the employee's performance;
6. deliberate and serious violation of the rights and freedoms of other employees, students, parents or other persons in the school community;
7. activities of a criminal nature relating to the fitness or effectiveness of the employee to perform the duties of the position;
8. failure to follow the canons of professional and personal ethics;
9. falsification of credentials and experience;
10. unauthorized destruction of school district property;
11. other good and sufficient grounds relating to any other act constituting inappropriate conduct;
12. neglect of duty;
13. violation of the rights of others as provided by federal and state laws related to human rights.

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**IV. FORMS OF DISCIPLINE**

- A. The forms of discipline that may be imposed by the school education district include, but are not limited to:

1. oral warning;
  2. written warning or reprimand;
  3. probation;
  4. disciplinary suspension, demotion or leave of absence with pay;
  5. disciplinary suspension, demotion or leave of absence without pay; and
  6. dismissal/termination or discharge from employment.
- B. Other forms of discipline, including any combination of the forms described in Paragraph A., above, may be imposed if, in the judgment of the administration, another form of discipline will better accomplish the shooeducation district's objective of stopping or correcting the offending conduct and improving the employee's performance.

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## V. PROCEDURES FOR ADMINISTERING POLICY

- A. In an instance where any form of discipline is imposed, the employee's supervisor will:
1. Advise the employee of any inadequacy, deficiency or conduct which is the cause of the discipline, either orally or in writing. If given orally, the supervisor will document the fact that an oral warning was given to the employee specifying the date, time and nature of the oral warning.
  2. Provide directives to the employee to correct the conduct or performance.
  3. Forward copies of all writings to the administrator in charge of personnel for filing in the employee's personnel file.
  4. Allow a reasonable period of time, when appropriate, for the employee to correct or remediate the performance or conduct.
  5. Specify the expected level of performance or modification of conduct to be required from the employee.
- B. The shooeducation district retains the right to immediately discipline, terminate or discharge an employee as appropriate, subject to relevant governing law and collective bargaining agreements where applicable.

**Legal References:** Minn. Stat. § 122A.40 (Teachers – Employment; Contracts; Termination)  
Minn. Stat. § 122A.41 (Teacher Tenure)  
Minn. Stat. § 122A.44 (Contracting with Teachers)  
Minn. Stat. § 122A.58 (Coaches)

Minn. Stat. § 123B.02, Subd. 14 (Employees; Contracts for Services)  
Minn. Stat. § 123B.143 (Superintendent)  
Minn. Stat. § 123B.147 (Principals)  
Minn. Stat. § 197.46 *et seq.* (Veterans Preference Act)

***Cross References:*** MSBA Service Manual, Chapter 3, Employees

## 406 PUBLIC AND PRIVATE PERSONNEL DATA

*[Note: The provisions of this policy accurately reflect the Minnesota Government Data Practices Act and are not discretionary in nature.]*

### I. PURPOSE

The purpose of this policy is to provide guidance to education district employees as to the data the education district collects and maintains regarding its personnel.

### II. GENERAL STATEMENT OF POLICY

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A. All data on individuals collected, created, received, maintained or disseminated by the education district, which is classified by statute or federal law as public, shall be accessible to the public pursuant to the procedures established by the education district.

B. All other data on individuals is private or confidential.

### III. DEFINITIONS

A. "Public" means that the data is available to anyone who requests it.

B. "Private" means the data is available to the subject of the data and to education district staff who need it to conduct the business of the education district.

C. "Confidential" means the data is not available to the subject.

D. "Parking space leasing data" means the following government data on an application for, or lease of, a parking space: residence address, home telephone number, beginning and ending work hours, place of employment, location of parking space, and work telephone number.

E. "Personnel data" means government data on individuals maintained because they are or were employees of the education district, applicants for employment, or volunteers or independent contractors for the education district, or members of or applicants for an advisory board or commission. Personnel data include data submitted to the education district by an employee as part of an organized self-evaluation effort by the education district to request suggestions from all employees on ways to cut costs, make the education district more efficient, or to improve education district operations. An employee who is identified in a suggestion shall have access to all data in the suggestion except the identity of the employee making the suggestion.

- F. “Finalist” means an individual who is selected to be interviewed by the education district board for a position.
- G. “Protected health information” means individually identifiable health information transmitted in electronic form by an education district acting as a health care provider. “Protected health information” excludes health information in education records covered by the federal Family Educational Rights and Privacy Act and employment records held by an education district in its role as employer.
- H. “Public officials” means business managers; human resource directors; athletic directors whose duties include at least 50 percent of their time spent in administration, personnel, supervision, and evaluation; chief financial officers; directors; and individuals defined as superintendents and principals.

#### IV. PUBLIC PERSONNEL DATA

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- A. The following information on employees, including volunteers and independent contractors, is public:
  - 1. name;
  - 2. employee identification number, which may not be the employee’s social security number;
  - 3. actual gross salary;
  - 4. salary range;
  - 5. terms and conditions of employment relationship;
  - 6. contract fees;
  - 7. actual gross pension;
  - 8. the value and nature of employer-paid fringe benefits;
  - 9. the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary;
  - 10. job title;
  - 11. bargaining unit;
  - 12. job description;
  - 13. education and training background;

14. previous work experience;
15. date of first and last employment;
16. the existence and status of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in a disciplinary action;
17. the final disposition of any disciplinary action, as defined in Minn. Stat. § 13.43, Subd. 2(b), together with the specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the education district;
18. the complete terms of any agreement settling any dispute arising out of the employment relationship, including superintendent buyout agreements, except that the agreement must include specific reasons for the agreement if it involves the payment of more than \$10,000 of public money, and such agreement may not have the purpose or effect of limiting access to or disclosure of personnel data or limiting the discussion of information or opinions related to personnel data;
19. work location;
20. work telephone number;
21. badge number;
22. work-related continuing education;
23. honors and awards received; and
24. payroll time sheets or other comparable data that are used only to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data.

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B. The following information on applicants for employment is public:

1. veteran status;
2. relevant test scores;
3. rank on eligible list;
4. job history;
5. education and training; and

6. work availability.
- C. Names of applicants are private data except when certified as eligible for appointment to a vacancy or when they become finalists for an employment position.
  - D. Applicants for appointment to a public body.
    1. Data about applicants for appointment to a public body are private data on individuals except that the following are public:
      - a. name;
      - b. city of residence, except when the appointment has a residency requirement that requires the entire address to be public;
      - c. education and training;
      - d. employment history;
      - e. volunteer work;
      - f. awards and honors;
      - g. prior government service;
      - h. any data required to be provided or that are voluntarily provided in an application for appointment to a multimember agency pursuant to Minn. Stat. § 15.0597; and
      - i. veteran status.
    2. Once an individual is appointed to a public body, the following additional items of data are public:
      - a. residential address;
      - b. either a telephone number or electronic mail address where the appointee can be reached, or both at the request of the appointee;
      - c. first and last dates of service on the public body;
      - d. the existence and status of any complaints or charges against an appointee; and
      - e. upon completion of an investigation of a complaint or charge against an appointee, the final investigative report is public, unless access to the data would jeopardize an active investigation.

3. Notwithstanding paragraph 2., any electronic mail address or telephone number provided by a public body for use by an appointee shall be public. An appointee may use an electronic mail address or telephone number provided by the public body as the designated electronic mail address or telephone number at which the appointee can be reached.
- E. Regardless of whether there has been a final disposition as defined in Minn. Stat. § 13.43, Subd. 2(b), upon completion of an investigation of a complaint or charge against a public official, as defined in Minn. Stat. § 13.43, Subd. 2(e), or if a public official resigns or is terminated from employment while the complaint or charge is pending, all data relating to the complaint or charge are public, unless access to the data would jeopardize an active investigation or reveal confidential sources.
- F. Data relating to a complaint or charge against a public official is public only if: (1) the complaint or charge results in disciplinary action or the employee resigns or is terminated from employment while the complaint or charge is pending; or (2) potential legal claims arising out of the conduct that is the subject of the complaint or charge are released as part of a settlement agreement. Data that is classified as private under another law is not made public by this provision. 93

## V. PRIVATE PERSONNEL DATA

- A. All other personnel data are private and will only be shared with education district staff whose work requires such access. Private data will not be otherwise released unless authorized by law or by the employee's informed written consent.
- B. Data pertaining to an employee's dependents are private data on individuals.
- C. Data created, collected or maintained by the education district to administer employee assistance programs are private.
- D. Parking space leasing data are private.
- E. An individual's checking account number is private when submitted to a government entity.
- F. Personnel data may be disseminated to labor organizations to the extent the education district determines it is necessary for the labor organization to conduct its business or when ordered or authorized by the Commissioner of the Bureau of Mediation Services.
- G. The education district may display a photograph of a current or former employee to prospective witnesses as part of the education district's investigation of any complaint or charge against the employee.
- H. The education district may, if the responsible authority or designee reasonably

determines that the release of personnel data is necessary to protect an employee from harm to self or to protect another person who may be harmed by the employee, release data that are relevant to the concerns for safety to:

1. the person who may be harmed and to the attorney representing the person when the data are relevant to obtaining a restraining order;
  2. a pre-petition screening team conducting an investigation of the employee under Minn. Stat. § 253B.07, Subd. 1; or
  3. a court, law enforcement agency, or prosecuting authority.
- I. Private personnel data or confidential investigative data on employees may be disseminated to a law enforcement agency for the purpose of reporting a crime or alleged crime committed by an employee, or for the purpose of assisting law enforcement in the investigation of such a crime or alleged crime.
- J. A complainant has access to a statement provided by the complainant to the education district in connection with a complaint or charge against an employee.
- K. When allegations of sexual or other types of harassment are made against an employee, the employee shall not have access to data that would identify the complainant or other witnesses if the education district determines that the employee's access to that data would:
1. threaten the personal safety of the complainant or a witness; or
  2. subject the complainant or witness to harassment.
- If a disciplinary proceeding is initiated against the employee, data on the complainant or witness shall be available to the employee as may be necessary for the employee to prepare for the proceeding.
- L. The education district shall make any report to the Minnesota Professional Educator Licensing and Standards Board or the state board of education as required by Minn. Stat. § 122A.20, Subd. 2, and shall, upon written request from the licensing board having jurisdiction over a teacher's license, provide the licensing board with information about the teacher from the education district's files, any termination or disciplinary proceeding, and settlement or compromise, or any investigative file in accordance with Minn. Stat. § 122A.20, Subd. 2.
- M. Private personnel data shall be disclosed to the department of economic security for the purpose of administration of the unemployment insurance program under Minn. Stat. Ch. 268.
- N. When a report of alleged maltreatment of a student in a school is made to the Commissioner of Education, data that are relevant and collected by the school about the person alleged to have committed maltreatment must be provided to the

Commissioner on request for purposes of an assessment or investigation of the maltreatment report. Additionally, personnel data may be released for purposes of informing a parent, legal guardian, or custodian of a child that an incident has occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.

- O. The education district shall release to a requesting ~~education-school~~ district or charter school private personnel data on a current or former employee related to acts of violence toward or sexual contact with a student, if an investigation conducted by or on behalf of the education district or law enforcement affirmed the allegations in writing prior to release and the investigation resulted in the resignation of the subject of the data; or the employee resigned while a complaint or charge involving the allegations was pending, the allegations involved acts of sexual contact with a student, and the employer informed the employee in writing, before the employee resigned, that if the employee resigns while the complaint or charge is still pending, the employer must release private personnel data about the employee's alleged sexual contact with a student to ~~an educationa school~~ district or charter school requesting the data after the employee applies for employment with that ~~education-school~~ district or charter school and the data remain classified as provided in Minn. Stat. Ch. 13. Data that are released under this paragraph must not include data on the student.
- P. The identity of an employee making a suggestion as part of an organized self-evaluation effort by the education district to cut costs, make the education district more efficient, or to improve education district operations is private.
- Q. Health information on employees is private unless otherwise provided by law. To the extent that the education district transmits protected health information, the education district will comply with all privacy requirements.
- R. Personal home contact information for employees may be used by the education district and shared with another government entity in the event of an emergency or other disruption to ensure continuity of operation for the education district or government entity.
- S. The personal telephone number, home address, and electronic mail address of a current or former employee of a contractor or subcontractor maintained as a result of a contractual relationship between the education district and a contractor or subcontractor entered on or after August 1, 2012, are private data. These data must be shared with another government entity to perform a function authorized by law. The data also must be disclosed to a government entity or any person for prevailing wage purposes.
- T. When a teacher is discharged immediately because the teacher's license has been revoked due to a conviction for child abuse or sexual abuse or when the Commissioner of the Minnesota Department of Education (MDE) makes a final determination of child maltreatment involving a teacher, the ~~education districtschool~~ principal or other person having administrative control of the

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~~education-district~~school must include in the teacher's employment record the information contained in the record of the disciplinary action or the final maltreatment determination, consistent with the definition of public data under Minn. Stat. § 13.41, Subd. 5, and must provide the Minnesota Professional Educator Licensing and Standards Board and the licensing division at MDE with the necessary and relevant information to enable the Minnesota Professional Educator Licensing and Standards Board and MDE's licensing division to fulfill their statutory and administrative duties related to issuing, renewing, suspending, or revoking a teacher's license. In addition to the background check required under Minn. Stat. § 123B.03, ~~a-an~~ education district board or other education district hiring authority must contact the Minnesota Professional Educator Licensing and Standards Board and MDE to determine whether the teacher's license has been suspended or revoked, consistent with the discharge and final maltreatment determinations. Unless restricted by federal or state data practices law or by the terms of a collective bargaining agreement, the responsible authority for ~~a-the~~ education district must disseminate to another ~~education-school~~ district private personnel data on a current or former teacher (employee or contractor) of the district, including the results of background investigations, if the requesting ~~education-school~~ district seeks the information because the subject of the data has applied for employment with the requesting ~~education-school~~ district. 96

## VI. MULTIPLE CLASSIFICATIONS

If data on individuals are classified as both private and confidential by Minn. Stat. Ch. 13, or any other state or federal law, the data are private.

## VII. CHANGE IN CLASSIFICATIONS

The ~~school~~education district shall change the classification of data in its possession if it is required to do so to comply with other judicial or administrative rules pertaining to the conduct of legal actions or with a specific statute applicable to the data in the possession of the disseminating or receiving agency.

## VIII. RESPONSIBLE AUTHORITY

The ~~school~~education district has designated *Cheryl Johnson, Executive Director, 395 Guernsey Lane, Red Wing, MN 55066, 651-388-4441 [cjohnson@gced.k12.mn.us](mailto:cjohnson@gced.k12.mn.us)* as the authority responsible for personnel data. If you have any questions, contact ~~her~~her.

## IX. EMPLOYEE AUTHORIZATION/RELEASE FORM

An employee authorization form is included as an addendum to this policy.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 13.02 (Definitions)  
Minn. Stat. § 13.37 (General Nonpublic Data)  
Minn. Stat. § 13.39 (Civil Investigation Data)

Minn. Stat. § 13.43 (Personnel Data)  
Minn. Stat. § 13.601, Subd. 3 (Elected and Appointed Officials)  
Minn. Stat. § 122A.20, Subd. 2 (Mandatory Reporting)  
Minn. Stat. § 122A.40, Subds. 13 and 16 (Employment; Contracts;  
Termination)  
Minn. Stat. § 626.556, Subd. 7 (Reporting of Maltreatment of Minors)  
P.L. 104-191 (HIPAA)  
45 C.F.R. Parts 160 and 164 (HIPAA Regulations)

***Cross References:*** MSBA/MASA Model Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA Service Manual, Chapter 13, School Law Bulletin “I” (School Records – Privacy – Access to Data)

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## **410 FAMILY AND MEDICAL LEAVE POLICY**

*[Note: School districts are required by statute to have a policy addressing these issues.]*

### **I. PURPOSE**

The purpose of this policy is to provide for family and medical leave to education district employees in accordance with the Family and Medical Leave Act of 1993 (FMLA) and also with parenting leave under state law.

### **II. GENERAL STATEMENT OF POLICY**

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The following procedures and policies regarding family and medical leave are adopted by the education district, pursuant to the requirements of the FMLA and consistent with the requirements of the Minnesota parenting leave laws.

### **III. DEFINITIONS**

A. “Covered active duty” means:

1. in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and
2. in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in 10 U.S.C. § 101(a)(13)(B).

B. “Covered servicemember” means:

1. a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
2. a covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces, including a member of the National Guard or Reserves, and was discharged or released under conditions other than dishonorable, at any time during the period of five years preceding the first date the eligible employee takes FMLA leave to care for the covered veteran.

- C. “Eligible employee” means an employee who has been employed by the education district for a total of at least 12 months and who has been employed for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave. An employee returning from fulfilling his or her Uniformed Services Employment and Reemployment Rights Act (USERRA)-covered service obligation shall be credited with the hours of service that would have been performed but for the period of absence from work due to or necessitated by USERRA-covered service. In determining whether the employee met the hours of service requirement, and to determine the hours that would have been worked during the period of absence from work due to or necessitated by USERRA-covered service, the employee’s pre-service work schedule can generally be used for calculations. While the 12 months of employment need not be consecutive, employment periods prior to a break in service of seven years or more may not be counted unless the break is occasioned by the employee’s fulfillment of his or her USERRA-covered service obligation or a written agreement, including a collective bargaining agreement, exists concerning the education district’s intention to rehire the employee after the break in service.
- D. “Military caregiver leave” means leave taken to care for a covered servicemember with a serious injury or illness.
- E. “Next of kin of a covered servicemember” means the nearest blood relative other than the covered servicemember’s spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the covered servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember’s next of kin, and the employee may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember’s only next of kin.
- F. “Outpatient status” means, with respect to a covered servicemember who is a current member of the Armed Forces, the status of a member of the Armed Forces assigned to:
1. a military medical treatment facility as an outpatient; or
  2. a unit established for the purpose of providing command and control of members of the Armed Forces receiving care as outpatients.
- G. “Qualifying exigency” means a situation where the eligible employee seeks leave for one or more of the following reasons:

1. to address any issues that arise from a short-notice deployment (seven calendar days or less) of a covered military member;
  2. to attend military events and related activities of a covered military member;
  3. to address issues related to childcare and school activities of a covered military member's child;
  4. to address financial and legal arrangements for a covered military member;
  5. to attend counseling provided by someone other than a health care provider for oneself, a covered military member, or his/her child;
  6. to spend up to 15 calendar days with a covered military member who is on short-term, temporary rest and recuperation leave during a period of deployment; 100
  7. to attend post-deployment activities related to a covered military member;
  8. to address parental care needs; and
  9. to address other events related to a covered military member that both the employee and education district agree is a qualifying exigency.
- H. "Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:
1. inpatient care in a hospital, hospice, or residential medical care facility; or
  2. continuing treatment by a health care provider.
- I. "Spouse" means a husband or wife. For purposes of this definition, husband or wife refers to the other person with whom an individual entered into marriage as defined or recognized under state law for purposes of marriage in the state in which the marriage was entered into or, in the case of a marriage entered into outside of any state, if the marriage is valid in the place where entered into and could have been entered into in at least one state. This definition includes an individual in a same-sex or common law marriage that either: (1) was entered into in a state that recognizes such marriages; or (2) if entered into outside of any state, is valid in the place where entered into and could have been entered into in at least one state.
- J. "Veteran" has the meaning given in 38 U.S.C. § 101.

#### **IV. LEAVE ENTITLEMENT**

A. Twelve-week Leave under Federal Law

1. Eligible employees are entitled to a total of 12 work weeks of unpaid family or medical leave during the applicable 12-month period as defined below, plus any additional leave as required by law. Leave may be taken for one or more of the following reasons in accordance with applicable law:
  - a. birth of the employee's child and to care for such child;
  - b. placement of an adopted or foster child with the employee;
  - c. to care for the employee's spouse, son, daughter, or parent with a serious health condition;
  - d. the employee's serious health condition makes the employee unable to perform the functions of the employee's job; and/or
  - e. any qualifying exigency arising from the employee's spouse, son, daughter, or parent being on covered active duty, or notified of an impending call or order to covered active duty in the Armed Forces.
2. For the purposes of this policy, "year" is defined as a rolling 12-month period measured backward from the date an employee's leave is to commence.
3. An employee's entitlement to FMLA leave for the birth, adoption, or foster care of a child expires at the end of the 12-month period beginning on the date of the birth or placement.
4. A "serious health condition" typically requires either inpatient care or continuing treatment by or under the supervision of a health care provider, as defined by applicable law. Family and medical leave generally is not intended to cover short-term conditions for which treatment and recovery are very brief.
5. A "serious injury or illness," in the case of a member of the Armed Forces, including a member of the National Guard or Reserves, means:
  - a. injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and
  - b. in the case of a covered veteran who was a member of the Armed

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Forces, including a member of the National Guard or Reserves, at any time, during the period of five years preceding the date on which the veteran undergoes the medical treatment, recuperation, or therapy, means a qualifying injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty in the Armed Forces and that manifested itself before or after the member became a veteran, and is:

- (1) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating; or
  - (2) a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability (VASRD) rating of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
  - (3) a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
  - (4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.
6. Eligible spouses employed by the education district are limited to an aggregate of 12 weeks of leave during any 12-month period for the birth and care of a newborn child or adoption of a child, the placement of a child for foster care, or to care for a parent. This limitation for spouses employed by the education district does not apply to leave taken: by one spouse to care for the other spouse who is seriously ill; to care for a child with a serious health condition; because of the employee's own serious health condition; or pursuant to Paragraph IV.A.1.e. above.
7. Depending on the type of leave, intermittent or reduced schedule leave may be granted in the discretion of the education district or when medically necessary. However, part-time employees are only eligible for a pro-rata portion of leave to be used on an intermittent or reduced schedule basis, based on their average hours worked per week. Where an

intermittent or reduced schedule leave is foreseeable based on planned medical treatment, the education district may transfer the employee temporarily to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave than does the employee's regular position, and which has equivalent pay and benefits.

8. If an employee requests a leave for the serious health condition of the employee or the employee's spouse, child, or parent, the employee will be required to submit sufficient medical certification. In such a case, the employee must submit the medical certification within 15 days from the date of the request or as soon as practicable under the circumstances.
9. If the education district has reason to doubt the validity of a health care provider's certification, it may require a second opinion at the school education district's expense. If the opinions of the first and second health care providers differ, the education district may require certification from a third health care provider at the school-education district's expense. An employee may also be required to present a certification from a health care provider indicating that the employee is able to return to work.
10. Requests for leave shall be made to the school-education district. When leave relates to an employee's spouse, son, daughter, parent, or covered servicemember being on covered active duty, or notified of an impending call or order to covered active duty pursuant to Paragraph IV.A.1.e. above, and such leave is foreseeable, the employee shall provide reasonable and practical notice to the education district of the need for leave. For all other leaves, employees must give 30 days' written notice of a leave of absence where practicable. The failure to provide the required notice may result in a delay of the requested leave. Employees are expected to make a reasonable effort to schedule leaves resulting from planned medical treatment so as not to disrupt unduly the operations of the school education district, subject to and in coordination with the health care provider.
11. The education district may require that a request for leave under Paragraph IV.A.1.e. above be supported by a copy of the covered military member's active duty orders or other documentation issued by the military indicating active duty or a call to active duty status and the dates of active duty service. In addition, the education district may require the employee to provide sufficient certification supporting the qualifying exigency for which leave is requested.
12. During the period of a leave permitted under this policy, the education district will provide health insurance under its group health plan under the same conditions coverage would have been provided had the employee not taken the leave. The employee will be responsible for payment of the employee contribution to continue group health insurance coverage during

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the leave. An employee's failure to make necessary and timely contributions may result in termination of coverage. An employee who does not return to work after the leave may be required, in some situations, to reimburse the education district for the cost of the health plan premiums paid by it.

13. The education district may request or require the employee to substitute accrued paid leave for any part of the 12-week period. Employees may be allowed to substitute paid leave for unpaid leave by meeting the requirements set out in the administrative directives and guidelines established for the implementation of this policy, if any. Employees eligible for leave must comply with the family and medical leave directives and guidelines prior to starting leave. The executive director shall be responsible to develop directives and guidelines as necessary to implement this policy. Such directives and guidelines shall be submitted to the ~~school~~education district board for annual review.

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The education district shall comply with written notice requirements as set forth in federal regulations.

14. Employees returning from a leave permitted under this policy are eligible for reinstatement in the same or an equivalent position as provided by law. However, the employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the leave.

B. Twelve-week Leave under State Law

An employee who does not qualify for parenting leave under Paragraphs IV.A.1.a. or IV.A.1.b. above may qualify for a 12-week unpaid leave which is available to a biological or adoptive parent in conjunction with the birth or adoption of a child, or to a female employee for prenatal care or incapacity due to pregnancy, childbirth, or related health conditions. The length of the leave shall be determined by the employee but must not exceed 12 weeks unless agreed by the employer. The employee may qualify if he or she has worked for the education district for at least 12 months and has worked an average number of hours per week equal to one-half of the full time equivalent during the 12-month period immediately preceding the leave. This leave is separate and exclusive of the family and medical leave described in the preceding paragraphs but may be reduced by any period of paid parental, disability, personal, or medical, or sick leave, or accrued vacation provided by the employer so that the total leave does not exceed 12 weeks, unless agreed by the employer, or leave taken for the same purpose under the FMLA. The leave taken under this section shall begin at a time requested by the employee. An employee who plans to take leave under this section must give the employer reasonable notice of the date the leave shall commence and the estimated duration of the leave. For leave taken by a biological or adoptive parent in conjunction with the birth or adoption of a child, the leave must begin within 12 months of the birth or adoption; except that, in the

case where the child must remain in the hospital longer than the mother, the leave must begin within 12 months after the child leaves the hospital.

C. Twenty-six-week Servicemember Family Military Leave

1. An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember shall be entitled to a total of 26 work weeks of leave during a 12-month period to care for the servicemember. The leave described in this paragraph shall be available only during a single 12-month period. For purposes of this leave, the need to care for a servicemember includes both physical and psychological care.
2. During a single 12-month period, an employee shall be entitled to a combined total of 26 work weeks of leave under Paragraphs IV.A. and IV.C. above.
3. The 12-month period referred to in this section begins on the first day the eligible employee takes leave to care for a covered servicemember and ends 12 months after that date. 105
4. Eligible spouses employed by the education district are limited to an aggregate of 26 weeks of leave during any 12-month period if leave is taken for birth of the employee's child or to care for the child after birth; for placement of a child with the employee for adoption or foster care or to care for the child after placement; to care for the employee's parent with a serious health condition; or to care for a covered servicemember with a serious injury or illness.
5. The education district may request or require the employee to substitute accrued paid leave for any part of the 26-week period. Employees may be allowed to substitute paid leave for unpaid leave by meeting the requirements set out in the administrative directives and guidelines established for the implementation of this policy, if any. Employees eligible for leave must comply with the family and medical leave directives and guidelines prior to starting leave.
6. An employee will be required to submit sufficient medical certification issued by the health care provider of the covered servicemember and other information in support of requested leave and eligibility for such leave under this section within 15 days from the date of the request or as soon as practicable under the circumstances.
7. The provisions of Paragraphs IV.A.7., IV.A.10., IV.A.12., IV.A.13., and IV.A.14. above shall apply to leaves under this section.

V. **SPECIAL RULES FOR INSTRUCTIONAL EMPLOYEES**

- A. An instructional employee is one whose principal function is to teach and instruct

students in a class, a small group, or an individual setting. This includes, but is not limited to, teachers, coaches, driver's education instructors, and special education assistants.

B. Instructional employees who request foreseeable medically necessary intermittent or reduced work schedule leave greater than 20 percent of the work days in the leave period may be required to:

1. take leave for the entire period or periods of the planned medical treatment; or
2. move to an available alternative position for which the employee is qualified, and which provides equivalent pay and benefits, but not necessarily equivalent duties.

C. Instructional employees who request continuous leave near the end of a semester may be required to extend the leave through the end of the semester. The number of weeks remaining before the end of a semester does not include scheduled school breaks, such as summer, winter, or spring break.

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1. If an instructional employee begins leave for any purpose more than five weeks before the end of a semester and it is likely the leave will last at least three weeks, the education district may require that the leave be continued until the end of the semester.
2. If the employee begins leave for a purpose other than the employee's own serious health condition during the last five weeks of a semester, the education district may require that the leave be continued until the end of the semester if the leave will last more than two weeks or if the employee's return from leave would occur during the last two weeks of the semester.
3. If the employee begins leave for a purpose other than the employee's own serious health condition during the last three weeks of the semester and the leave will last more than five working days, education district may require the employee to continue taking leave until the end of the semester.

D. The entire period of leave taken under the special rules will be counted as leave. The education district will continue to fulfill the ~~school-education~~ district's leave responsibilities and obligations, including the obligation to continue the employee's health insurance and other benefits, if an instructional employee's leave entitlement ends before the involuntary leave period expires.

## VI. OTHER

A. The provisions of this policy are intended to comply with applicable law, including the FMLA and applicable regulations. Any terms used from the FMLA will have the same meaning as defined by the FMLA and/or applicable

regulations. To the extent that this policy is ambiguous or contradicts applicable law, the language of the applicable law will prevail.

- B. The requirements stated in the collective bargaining agreement between employees in a certified collective bargaining unit and the education district regarding family and medical leaves (if any) shall be followed.

## VII. DISSEMINATION OF POLICY

- A. This policy shall be conspicuously posted in each education district building in areas accessible to employees.
- B. This policy will be reviewed at least annually for compliance with state and federal law.

**Legal References:** Minn. Stat. §§ 181.940-181.944 (Parenting Leave)  
10 U.S.C. § 101 *et seq.* (Armed Forces General Military Law)  
29 U.S.C. § 2601 *et seq.* (Family and Medical Leave Act)  
38 U.S.C. § 101 (Definitions)  
29 C.F.R. Part 825 (Family and Medical Leave Act)

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**Cross References:** MSBA Service Manual, Chapter 13, School Law Bulletin “M” (Statutory Provisions Which Grant Leaves to Licensed as well as Non-Licensed School District Employees – Family and Medical Leave Act Summary)

## 412 EXPENSE REIMBURSEMENT

*[Note: School districts are required by statute to have a policy addressing these issues.]*

### I. PURPOSE

The purpose of this policy is to identify school-education district business expenses that involve initial payment by an employee and qualify for reimbursement from the sehoeducation district, and to specify the manner by which the employee seeks reimbursement.

### II. AUTHORIZATION

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All sehoeducation district business expenses to be reimbursed must be approved by the supervising administrator. Such expenses to be reimbursed may include transportation, meals, lodging, registration fees, required materials, parking fees, tips, and other reasonable and necessary sehoeducation district business-related expenses.

### III. REIMBURSEMENT

- A. Requests for reimbursement must be itemized on the official sehoeducation district form and are to be submitted to the designated administrator. Receipts for lodging, commercial transportation, registration, and other reasonable and necessary expenses must be attached to the reimbursement form.
- B. Automobile travel shall be reimbursed at the mileage rate set by the sehoeducation board. Commercial transportation shall reflect economy fares and shall be reimbursed only for the actual cost of the trip.

### IV. AIRLINE TRAVEL CREDIT

- A. Employees utilizing sehoeducation district funds to pay for airline travel are required to ensure that any credits or other benefits issued by any airline accrue to the benefit of the sehoeducation district rather than the employee.
  - 1. To the extent an airline will not honor a transfer or assignment of credit or benefit from the employee to the sehoeducation district, the employee shall report receipt of the credit or benefit to the designated administrator within 90 days of receipt of the credit or benefit.
  - 2. Reports of the receipt of an airline credit or benefit shall be made in writing and shall include verification from the airline as to the credit or benefit received. Reimbursement for airline travel expenses will not be

made until such documentation is provided.

- B. Employees who have existing credits or benefits issued by an airline based upon previously reimbursed airline travel for school education district purposes will be required to utilize those credits or benefits toward any subsequent airline travel related to school education district purposes, prior to reimbursement for such travel, to the extent permitted and/or feasible.
- C. The requirements of this section apply to all airline travel, regardless of where or how the tickets are purchased.

**V. ESTABLISHMENT OF DIRECTIVES AND GUIDELINES**

The superintendent shall develop a schedule of reimbursement rates for school education district business expenses, including those expenses requiring advance approval and specific rates of reimbursement. The superintendent shall also develop directives and guidelines to address methods and times for submission of requests for reimbursement.

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**Legal References:** Minn. Stat. § 15.435 (Airline Travel Credit)  
Minn. Stat. § 471.665 (Mileage Allowances)  
Minn. Op. Atty. Gen. 1035 (Aug. 23, 1999) (Retreat Expenses)  
Minn. Op. Atty. Gen. 161b-12 (Aug. 4, 1997) (Transportation Expenses)  
Minn. Op. Atty. Gen. 161B-12 (Jan. 24, 1989) (Operating Expenses of Car)

**Cross References:** MSBA/MASA Model Policy 214 (Out-of-State Travel by School Education District Board Members.

## 413 HARASSMENT AND VIOLENCE

*[Note: State law (Minn. Stat. § 121A.03) requires that school districts adopt a sexual, religious, and racial harassment and violence policy that conforms with the Minnesota Human Rights Act, Minn. Stat. Ch. 363A (MHRA). This policy complies with that statutory requirement and addresses the other classifications protected by the MHRA and/or federal law. While the recommendation is that school districts incorporate the other protected classifications, in addition to sex, religion, and race, into this policy, they are not specifically required to do so by Minn. Stat. § 121A.03. The Minnesota Department of Education (MDE) is required to maintain and make available a model sexual, religious, and racial harassment policy in accordance with Minn. Stat. § 121A.03. MDE’s policy differs from that of MSBA and imposes greater requirements upon school districts than required by law. For that reason, MSBA recommends the adoption of its model policy by school districts. Each school board must submit a copy of the policy the board has adopted to the Commissioner of MDE.]*

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### I. PURPOSE

The purpose of this policy is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.

*[Note: The Minnesota Human Rights Act defines “sexual orientation” to include “having or being perceived as having a self-image or identity not traditionally associated with one’s biological maleness or femaleness.” Minn. Stat. § 363A.03, Subd. 44.]*

### II. GENERAL STATEMENT OF POLICY

- A. The policy of the education district is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability. The education district prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.
- B. A violation of this policy occurs when any student, teacher, administrator, or other education district personnel harasses a student, teacher, administrator, or other education district personnel or group of students, teachers, administrators, or other education district personnel through conduct or communication based on a

person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, as defined by this policy. (For purposes of this policy, education district personnel include education board members, education employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district.)

- C. A violation of this policy occurs when any student, teacher, administrator, or other education district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other education district personnel or group of students, teachers, administrators, or other education district personnel based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.
- D. The education district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, and to discipline or take appropriate action against any student, teacher, administrator, or other education district personnel who is found to have violated this policy.

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### III. DEFINITIONS

- A. "Assault" is:
  - 1. an act done with intent to cause fear in another of immediate bodily harm or death;
  - 2. the intentional infliction of or attempt to inflict bodily harm upon another; or
  - 3. the threat to do bodily harm to another with present ability to carry out the threat.
- B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability when the conduct:
  - 1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
  - 2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or

3. otherwise adversely affects an individual's employment or academic opportunities.

C. "Immediately" means as soon as possible but in no event longer than 24 hours.

D. Protected Classifications; Definitions

1. "Disability" means any condition or characteristic that renders a person a disabled person. A disabled person is any person who:

a. has a physical, sensory, or mental impairment which materially limits one or more major life activities;

b. has a record of such an impairment; or

c. is regarded as having such an impairment.

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2. "Familial status" means the condition of one or more minors being domiciled with:

a. their parent or parents or the minor's legal guardian; or

b. the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.

3. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.

4. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.

5. "Sex" includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.

6. "Sexual orientation" means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness. "Sexual orientation" does not include a physical or sexual attachment to children by an adult.

7. “Status with regard to public assistance” means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.
- E. “Remedial response” means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.
- F. Sexual Harassment; Definition
1. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:
    - a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or 113
    - b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual’s employment or education; or
    - c. that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual’s employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.
  2. Sexual harassment may include, but is not limited to:
    - a. unwelcome verbal harassment or abuse;
    - b. unwelcome pressure for sexual activity;
    - c. unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other education district personnel to avoid physical harm to persons or property;
    - d. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual’s employment or educational status;
    - e. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual’s employment or educational status; or

- f. unwelcome behavior or words directed at an individual because of sexual orientation, including gender identity or expression.

G. Sexual Violence; Definition

- 1. Sexual violence is a physical act of aggression or force or the threat thereof which involves the touching of another's intimate parts or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minn. Stat. § 609.341, includes the primary genital area, groin, inner thigh, buttocks, or breast, as well as the clothing covering these areas.
- 2. Sexual violence may include, but is not limited to:
  - a. touching, patting, grabbing, or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
  - b. coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
  - c. coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
  - d. threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

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H. Violence; Definition

Violence prohibited by this policy is a physical act of aggression or assault upon another or group of individuals because of, or in a manner reasonably related to, race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.

**IV. REPORTING PROCEDURES**

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability by a student, teacher, administrator, or other education district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other education district personnel or group of students, teachers, administrators, or other education district personnel should report the alleged acts immediately to an appropriate education district official designated by this policy. A person may report conduct which may constitute harassment or violence anonymously. However, the education district may not rely solely on an anonymous report to

determine discipline or other remedial responses.

- B. The education district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available from the education district office, but oral reports shall be considered complaints as well.
- C. Nothing in this policy shall prevent any person from reporting harassment or violence directly to ~~a~~an education district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the education district human rights officer by the reporting party or complainant.
- D. In Each School Building. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult education district personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. If the complaint involves the building report taker, the complaint shall be made or filed directly with the executive director or the education district human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.
- E. A teacher, school administrator, volunteer, contractor, or other ~~school-education~~district employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. Education district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.
- F. Upon receipt of a report, the building report taker must notify the education district human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.
- G. In the District. The education district board hereby designates Cheryl Johnson,

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Executive Director as the education district human rights officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.<sup>1</sup>

- H. The education district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.
- I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
- J. Use of formal reporting forms is not mandatory.
- K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
- L. The education district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the education district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.
- M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.
- N. False accusations or reports of violence or harassment against another person are prohibited.
- O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the education district's policies and procedures.

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Consequences for students who commit, or are a party to, prohibited acts of violence or harassment or who engage in reprisal or intentional false reporting may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

Consequences for employees who permit, condone, or tolerate violence or harassment or engage in an act of reprisal or intentional false reporting of violence or harassment may result in disciplinary action up to and including termination or discharge.

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<sup>1</sup> In some school districts the superintendent may be the human rights officer. If so, an alternative individual should be designated by the school board.

Consequences for other individuals engaging in prohibited acts of violence or harassment may include, but not be limited to, exclusion from ~~school~~education district property and events and/or termination of services and/or contracts.

## V. INVESTIGATION

- A. By authority of the education district, the human rights officer, within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall undertake or authorize an investigation. The investigation may be conducted by education district officials or by a third party designated by the education district.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, the education district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.
- D. In addition, the education district may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other education district personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.
- E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- F. The investigation will be completed as soon as practicable. The education district human rights officer shall make a written report to the executive director upon completion of the investigation. If the complaint involves the executive director, the report may be filed directly with the education district board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

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## VI. EDUCATION DISTRICT ACTION

- A. Upon completion of an investigation that determines a violation of this policy has occurred, the education district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be

sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. Education district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and applicable education district policies and regulations.

- B. The education district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the education district. School officials will notify the parent(s) or guardian(s) of targets or victims of harassment or violence and the parent(s) or guardian(s) of alleged perpetrators of harassment or violence who have been involved in a reported and confirmed harassment or violence incident of the remedial or disciplinary action taken, to the extent permitted by law.
- C. In order to prevent or respond to acts of harassment or violence committed by or directed against a child with a disability, the education district shall, where determined appropriate by the child's individualized education program (IEP) or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in acts of harassment or violence.

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## **VII. RETALIATION OR REPRISAL**

The education district will discipline or take appropriate action against any student, teacher, administrator, or other education district personnel who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged harassment or violence prohibited by this policy, who testifies, assists, or participates in an investigation of retaliation or alleged harassment or violence, or who testifies, assists, or participates in a proceeding or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the harassment or violence. Remedial responses to the harassment or violence shall be tailored to the particular incident and nature of the conduct.

## **VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES**

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Minnesota Department of Human Rights, initiating civil action, or seeking redress under state criminal statutes and/or federal law.

## **IX. HARASSMENT OR VIOLENCE AS ABUSE**

- A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minn. Stat. § 626.556 may be applicable.

- B. Nothing in this policy will prohibit the education district from taking immediate action to protect victims of alleged harassment, violence, or abuse.

**X. DISSEMINATION OF POLICY AND TRAINING**

- A. This policy shall be conspicuously posted throughout each school building in areas accessible to students and staff members.
- B. This policy shall be given to each education district employee and independent contractor who regularly interacts with students at the time of initial employment with the education district.
- C. This policy shall appear in the student handbook.
- D. The education district will develop a method of discussing this policy with students and employees.
- E. The education district may implement violence prevention and character development education programs to prevent and reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, resourcefulness, and/or sexual abuse prevention.
- F. This policy shall be reviewed at least annually for compliance with state and federal law.

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**Legal References:** Minn. Stat. § 120B.232 (Character Development Education)  
Minn. Stat. § 120B.234 (Child Sexual Abuse Prevention Education)  
Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)  
Minn. Stat. § 121A.031 (School Student Bullying Policy)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
Minn. Stat. § 609.341 (Definitions)  
Minn. Stat. § 626.556 *et seq.* (Reporting of Maltreatment of Minors)  
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)  
29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)  
29 U.S.C. § 794 (Rehabilitation Act of 1973, § 504)  
42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)  
42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)  
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)  
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

**Cross References:** MSBA/MASA Model Policy 102 (Equal Educational Opportunity)  
MSBA/MASA Model Policy 401 (Equal Employment Opportunity)  
MSBA/MASA Model Policy 402 (Disability Nondiscrimination Policy)

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)  
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)  
MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)  
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)  
MSBA/MASA Model Policy 525 (Violence Prevention)  
MSBA/MASA Model Policy 526 (Hazing Prohibition)  
MSBA/MASA Model Policy 528 (Student Parental, Family, and Marital Status Nondiscrimination)

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**414 MANDATED REPORTING OF CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE**

*[Note: This policy reflects the mandatory law regarding reporting of maltreatment of minors and is not discretionary in nature.]*

**I. PURPOSE**

The purpose of this policy is to make clear the statutory requirements of education district personnel to report suspected child neglect or physical or sexual abuse.

**II. GENERAL STATEMENT OF POLICY**

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A. The policy of the education district is to fully comply with Minn. Stat. § 626.556 requiring education district personnel to report suspected child neglect or physical or sexual abuse.

B. A violation of this policy occurs when any education district personnel fails to immediately report instances of child neglect or physical or sexual abuse when the education district personnel knows or has reason to believe a child is being neglected or physically or sexually abused or has been neglected or physically or sexually abused within the preceding three years.

**III. DEFINITIONS**

A. “Accidental” means a sudden, not reasonably foreseeable, and unexpected occurrence or event which:

1. is not likely to occur and could not have been prevented by exercise of due care; and

2. if occurring while a child is receiving services from a facility, happens when the facility and the employee or person providing services in the facility are in compliance with the laws and rules relevant to the occurrence of event.

B. “Child” means one under age 18 and, for purposes of Minn. Stat. Ch. 260C (Child Protection) and Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment), includes an individual under age 21 who is in foster care pursuant to Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18).

C. “Immediately” means as soon as possible but in no event longer than 24 hours.

- D. “Mandated reporter” means any school personnel, including those working in the education district, who knows or has reason to believe a child is being neglected or physically or sexually abused, or has been neglected or physically or sexually abused within the preceding three years.
- E. “Neglect” means the commission or omission of any of the acts specified below, other than by accidental means:
1. failure by a person responsible for a child’s care to supply a child with necessary food, clothing, shelter, health care, medical care, or other care required for the child’s physical or mental health when reasonably able to do so, including a growth delay, which may be referred to as a failure to thrive, that has been diagnosed by a physician and is due to parental neglect;
  2. failure to protect a child from conditions or actions that seriously endanger the child’s physical or mental health when reasonably able to do so;
  3. failure to provide for necessary supervision or child care arrangements appropriate for a child after considering factors such as the child’s age, mental ability, physical condition, length of absence, or environment, when the child is unable to care for his or her own basic needs or safety or the basic needs or safety of another child in his or her care;
  4. failure to ensure that a child is educated in accordance with state law, which does not include a parent’s refusal to provide his or her child with sympathomimetic medications;
  5. prenatal exposure to a controlled substance used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in the child at birth, results of a toxicology test performed on the mother at delivery or the child’s birth, or medical effects or developmental delays during the child’s first year of life that medically indicate prenatal exposure to a controlled substance or the presence of a fetal alcohol spectrum disorder;
  6. medical neglect as defined by Minn. Stat. § 260C.007, Subd. 6, Clause (5);
  7. chronic and severe use of alcohol or a controlled substance by a parent or person responsible for the care of the child that adversely affects the child’s basic needs and safety; or
  8. emotional harm from a pattern of behavior which contributes to impaired emotional functioning of the child which may be demonstrated by a substantial and observable effect in the child’s behavior, emotional response, or cognition that is not within the normal range for the child’s age and stage of development, with due regard to the child’s culture.

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Neglect does not include spiritual means or prayer for treatment or care of disease

where the person responsible for the child's care in good faith has selected and depended on those means for treatment or care of disease, except where the lack of medical care may cause serious danger to the child's health.

- F. "Nonmaltreatment mistake" means: (1) at the time of the incident, the individual was performing duties identified in the center's child care program plan required under Minn. Rules Part 9503.0045; (2) the individual has not been determined responsible for a similar incident that resulted in a finding of maltreatment for at least seven years; (3) the individual has not been determined to have committed a similar nonmaltreatment mistake under this paragraph for at least four years; (4) any injury to a child resulting from the incident, if treated, is treated only with remedies that are available over the counter, whether ordered by a medical professional or not; and (5) except for the period when the incident occurred, the facility and the individual providing services were both in compliance with all licensing requirements relevant to the incident. This definition only applies to child care centers licensed under Minn. Rules Ch. 9503.
- G. "Physical abuse" means any physical injury, mental injury, or threatened injury, inflicted by a person responsible for the child's care other than by accidental means; or any physical or mental injury that cannot reasonably be explained by the child's history of injuries or any aversive or deprivation procedures, or regulated interventions, that have not been authorized by Minn. Stat. § 125A.0942 or § 245.825.

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Abuse does not include reasonable and moderate physical discipline of a child administered by a parent or legal guardian which does not result in an injury. Abuse does not include the use of reasonable force by a teacher, principal, or ~~education districts~~school employee as allowed by Minn. Stat. § 121A.582.

Actions which are not reasonable and moderate include, but are not limited to, any of the following: (1) throwing, kicking, burning, biting, or cutting a child; (2) striking a child with a closed fist; (3) shaking a child under age three; (4) striking or other actions which result in any nonaccidental injury to a child under 18 months of age; (5) unreasonable interference with a child's breathing; (6) threatening a child with a weapon, as defined in Minn. Stat. § 609.02, Subd. 6; (7) striking a child under age one on the face or head; (8) striking a child who is at least age one but under age four on the face or head, which results in an injury; (9) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled substances which were not prescribed for the child by a practitioner, in order to control or punish the child, or giving the child other substances that substantially affect the child's behavior, motor coordination, or judgment or that result in sickness or internal injury, or subject the child to medical procedures that would be unnecessary if the child were not exposed to the substances; (10) unreasonable physical confinement or restraint not permitted under Minn. Stat. § 609.379 including, but not limited to, tying, caging, or chaining; or (11) in a ~~education districts~~school facility or ~~education districts~~school zone, an act by a person responsible for the child's care that is a violation under Minn. Stat. § 121A.58.

- H. “Report” means any communication received by the local welfare agency, police department, county sheriff, or agency responsible for child protection pursuant to this section that describes neglect or physical or sexual abuse of a child and contains sufficient content to identify the child and any person believed to be responsible for the neglect or abuse, if known.
- I. “Education district or school personnel” means professional employee or professional’s delegate of the education district who provides health, educational, social, psychological, law enforcement, or child care services.
- J. “Sexual abuse” means the subjection of a child by a person responsible for the child’s care, by a person who has a significant relationship to the child (as defined in Minn. Stat. § 609.341, Subd. 15), or by a person in a current or recent position of authority (as defined in Minn. Stat. § 609.341, Subd. 10) to any act which constitutes a violation of Minnesota statutes prohibiting criminal sexual conduct. Such acts include sexual penetration, sexual contact, solicitation of children to engage in sexual conduct, and communication of sexually explicit materials to children. Sexual abuse also includes any act involving a minor which constitutes a violation of Minnesota statutes prohibiting prostitution or use of a minor in a sexual performance. Sexual abuse includes all reports of known or suspected child sex trafficking involving a child who is identified as a victim of sex trafficking. Sexual abuse includes threatened sexual abuse which includes the status of a parent or household member who has committed a violation which requires registration under Minn. Stat. § 243.166, Subd. 1b(a) or (b) (Registration of Predatory Offenders).
- K. “Mental injury” means an injury to the psychological capacity or emotional stability of a child as evidenced by an observable or substantial impairment in the child’s ability to function within a normal range of performance and behavior with due regard to the child’s culture.
- L. “Person responsible for the child’s care” means (1) an individual functioning within the family unit and having responsibilities for the care of the child such as a parent, guardian, or other person having similar care responsibilities, or (2) an individual functioning outside the family unit and having responsibilities for the care of the child such as a teacher, ~~education districts~~school administrator, other ~~education districts~~school employees or agents, or other lawful custodian of a child having either full-time or short-term care responsibilities including, but not limited to, day care, babysitting whether paid or unpaid, counseling, teaching, and coaching.
- M. “Threatened injury” means a statement, overt act, condition, or status that represents a substantial risk of physical or sexual abuse or mental injury. Threatened injury includes, but is not limited to, exposing a child to a person responsible for the child’s care who has subjected the child to, or failed to protect a child from, egregious harm, or a person whose parental rights were involuntarily terminated, been found palpably unfit, or one from whom legal and physical custody of a child has been involuntarily transferred to another.

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#### IV. REPORTING PROCEDURES

- A. A mandated reporter as defined herein shall immediately report the neglect or physical or sexual abuse, which he or she knows or has reason to believe is happening or has happened within the preceding three years, to the local welfare agency, police department, county sheriff, tribal social services, or tribal police department. The reporter will include his or her name and address in the report.
- B. If the immediate report has been made orally, by telephone or otherwise, the oral report shall be followed by a written report within 72 hours (exclusive of weekends and holidays) to the appropriate police department, the county sheriff, local welfare agency, or agency responsible for assisting or investigating maltreatment. The written report shall identify the child, any person believed to be responsible for the abuse or neglect of the child if the person is known, the nature and extent of the abuse or neglect and the name and address of the reporter.
- C. Regardless of whether a report is made, as soon as practicable after a **education districts** school receives information regarding an incident that may constitute maltreatment of a child in ~~a~~-an education district facility, the education district shall inform the parent, legal guardian, or custodian of the child that an incident has occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.
- D. A mandated reporter who knows or has reason to know of the deprivation of parental rights or the kidnapping of a child shall report the information to the local police department or the county sheriff.
- E. With the exception of a health care professional or a social service professional who is providing the woman with prenatal care or other health care services, a mandated reporter shall immediately report to the local welfare agency if the person knows or has reason to believe that a woman is pregnant and has used a controlled substance for a nonmedical purpose during the pregnancy, including, but not limited to, tetrahydrocannabinol, or has consumed alcoholic beverages during the pregnancy in any way that is habitual or excessive.
- F. A person mandated by Minnesota law and this policy to report who fails to report may be subject to criminal penalties and/or discipline, up to and including termination of employment.
- G. Submission of a good faith report under Minnesota law and this policy will not adversely affect the reporter's employment, or the child's access to school.
- H. Any person who knowingly or recklessly makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury, and the reckless making of a false report may result in discipline. The court may also award attorney's fees.

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*[Note: The Minnesota Department of Education (MDE) is responsible for assessing or investigating allegations of child maltreatment in schools. Although a report may be made to any of the agencies listed in Section IV. A., above, and there is no requirement to file more than one report, if the initial report is not made to MDE, it would be helpful to MDE if schools also report to MDE.]*

## V. INVESTIGATION

- A. The responsibility for investigating reports of suspected neglect or physical or sexual abuse rests with the appropriate county, state, or local agency or agencies. The agency responsible for assessing or investigating reports of child maltreatment has the authority to interview the child, the person or persons responsible for the child's care, the alleged perpetrator, and any other person with knowledge of the abuse or neglect for the purpose of gathering the facts, assessing safety and risk to the child, and formulating a plan. The investigating agency may interview the child at school. The interview may take place outside the presence of a ~~education-district~~school official. The investigating agency, not the school, is responsible for either notifying or withholding notification of the interview to the parent, guardian or person responsible for the child's care. ~~Education district~~School officials may not disclose to the parent, legal custodian, or guardian the contents of the notification or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation or assessment has been concluded.
- B. When the investigating agency determines that an interview should take place on ~~education-district~~school property, written notification of intent to interview the child on ~~education-district~~school property will be received by ~~education district~~school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct an interview on ~~education-district~~school property.
- C. Except where the alleged perpetrator is believed to be a ~~education-district~~school official or employee, the time and place, and manner of the interview on ~~education-district~~school premises shall be within the discretion of ~~education district~~school officials, but the local welfare or law enforcement agency shall have the exclusive authority to determine who may attend the interview. The conditions as to time, place, and manner of the interview set by the ~~education district~~school officials shall be reasonable and the interview shall be conducted not more than 24 hours after the receipt of the notification unless another time is considered necessary by agreement between the ~~education-district~~school officials and the local welfare or law enforcement agency. Every effort must be made to reduce the disruption of the educational program of the child, other students, or ~~education-district~~school employees when an interview is conducted on ~~education district~~school premises.
- D. Where the alleged perpetrator is believed to be a ~~education-district~~school official

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or employee, the ~~school~~education district shall conduct its own investigation independent of MDE and, if involved, the local welfare or law enforcement agency.

- E. Upon request by MDE, the ~~school~~education district shall provide all requested data that are relevant to a report of maltreatment and are in the possession of ~~a~~-an education district facility, pursuant to an assessment or investigation of a maltreatment report of a student in school. The education district shall provide the requested data in accordance with the requirements of the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

## **VI. MAINTENANCE OF SCHOOL RECORDS CONCERNING ABUSE OR POTENTIAL ABUSE**

- A. When a local welfare or local law enforcement agency determines that a potentially abused or abused child should be interviewed on school property, written notification of the agency's intent to interview on school property must be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct the interview. The notification shall be private data. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notice or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation has been concluded. 127
- B. All records regarding a report of maltreatment, including any notification of intent to interview which was received by the education district as described above in Paragraph A., shall be destroyed by the education district only when ordered by the agency conducting the investigation or by a court of competent jurisdiction.

## **VII. PHYSICAL OR SEXUAL ABUSE AS SEXUAL HARASSMENT OR VIOLENCE**

Under certain circumstances, alleged physical or sexual abuse may also be sexual harassment or violence under Minnesota law. If so, the duties relating to the reporting and investigation of such harassment or violence may be applicable.

## **VIII. DISSEMINATION OF POLICY AND TRAINING**

- A. This policy shall appear in education district personnel handbooks.
- B. The education district will develop a method of discussing this policy with education district personnel.
- C. This policy shall be reviewed at least annually for compliance with state law.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)

Minn. Stat. § 121A.58 (Corporal Punishment)  
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)  
Minn. Stat. § 125A.0942 (Standards for Restrictive Procedures)  
Minn. Stat. § 243.166, Subd. 1b(a)(b) (Registration of Predatory Offenders)  
Minn. Stat. § 245.825 (Use of Aversive or Deprivation Procedures)  
Minn. Stat. § 260C.007, Subd. 6, Clause (5) (Child in Need of Protection)  
Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18)  
Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment)  
Minn. Stat. § 609.02, Subd. 6 (Definitions – Dangerous Weapon)  
Minn. Stat. § 609.341, Subd. 10 (Definitions – Position of Authority)  
Minn. Stat. § 609.341, Subd. 15 (Definitions – Significant Relationship)  
Minn. Stat. § 609.379 (Reasonable Force)  
Minn. Stat. § 626.556 *et seq.* (Reporting of Maltreatment of Minors)  
Minn. Stat. § 626.5561 (Reporting of Prenatal Exposure to Controlled Substances)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)

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***Cross References:*** MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)

**Confidential Student Maltreatment Reporting Form**

Date Submitted: \_\_\_\_\_

MDE File #: \_\_\_\_\_ (MDE staff use only)

**REPORTER (name of person completing form) Reporter is confidential under Minnesota Statutes, section 626.556.**

Name: \_\_\_\_\_ Title: \_\_\_\_\_ Phone: \_\_\_\_\_ Mandated Reporter: Yes \_\_\_ No \_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**SCHOOL INFORMATION**

ISD #: \_\_\_\_\_ School District: \_\_\_\_\_ Program Name: \_\_\_\_\_  
School Name: \_\_\_\_\_ Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_  
Principal/Director: \_\_\_\_\_ Phone: \_\_\_\_\_ (Ext): \_\_\_\_\_  
Transportation Company (if necessary): Contact: \_\_\_\_\_ Phone: \_\_\_\_\_

**ALLEGED VICTIM (Complete one reporting form for each alleged victim)**

Name: \_\_\_\_\_ Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Parent/Guardian: \_\_\_\_\_ Phone: \_\_\_\_\_ Alternate Phone: \_\_\_\_\_ 129  
Gender: Male \_\_\_ Female \_\_\_ DOB: \_\_\_\_\_ Grade: \_\_\_\_\_ Ethnicity: \_\_\_\_\_  
Special Education: Yes \_\_\_ No \_\_\_ Disability Description: \_\_\_\_\_ State Student ID: \_\_\_\_\_

**ALLEGED OFFENDER**

Name: \_\_\_\_\_ Position: \_\_\_\_\_ DOB: \_\_\_\_\_ Gender: Male \_\_\_ Female \_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Ethnicity: \_\_\_\_\_ Phone: \_\_\_\_\_ Alternate Phone: \_\_\_\_\_  
Licensed: Yes \_\_\_ No \_\_\_ If licensed, name of licensing board: \_\_\_\_\_ Folder #: \_\_\_\_\_

**INCIDENT**

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Location (i.e. - bus, classroom): \_\_\_\_\_  
Address (if different than school): \_\_\_\_\_ County: \_\_\_\_\_  
Witness Contact Information: \_\_\_\_\_  
Police Notified: Yes \_\_\_ No \_\_\_ Police Department: \_\_\_\_\_  
Police Contact: \_\_\_\_\_ Phone: \_\_\_\_\_ Case No.: \_\_\_\_\_

**Alleged Maltreatment:** Physical Abuse \_\_\_ Sexual Abuse \_\_\_ Neglect \_\_\_ Unknown \_\_\_ **Injury:** Yes \_\_\_ No \_\_\_ Unknown \_\_\_

Description of Incident and Injury: (please attach additional page if needed).

## 415 MANDATED REPORTING OF MALTREATMENT OF VULNERABLE ADULTS

*[Note: This policy reflects the mandatory law regarding reporting maltreatment of vulnerable adults and is not discretionary in nature.]*

### I. PURPOSE

The purpose of this policy is to make clear the statutory requirements of education district personnel to report suspected maltreatment of vulnerable adults.

### II. GENERAL STATEMENT OF POLICY

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- A. The policy of the education district is to fully comply with Minn. Stat. § 626.557 requiring education district personnel to report suspected maltreatment of vulnerable adults.
- B. A violation of this policy occurs when any ~~education districts~~school personnel fails to report suspected maltreatment of vulnerable adults when the ~~education districts~~school personnel has reason to believe that a vulnerable adult is being or has been maltreated, or has knowledge that a vulnerable adult has sustained a physical injury which is not reasonably explained.

### III. DEFINITIONS

- A. “Mandated Reporters” means any ~~education districts~~school personnel who has reason to believe that a vulnerable adult is being or has been maltreated.
- B. “Maltreatment” means the neglect, abuse, or financial exploitation of a vulnerable adult.
- C. “Neglect” means the failure or omission by a caregiver to supply a vulnerable adult with care or services, including but not limited to, food, clothing, shelter, health care, or supervision which is: (1) reasonable and necessary to obtain or maintain the vulnerable adult’s physical or mental health or safety, considering the physical and mental capacity or dysfunction of the vulnerable adult; and (2) which is not the result of an accident or therapeutic conduct. Neglect also includes the absence or likelihood of absence of care or services, including but not limited to, food, clothing, shelter, health care, or supervision necessary to maintain the physical and mental health of the vulnerable adult which a reasonable person would deem essential to obtain or maintain the vulnerable adult’s health, safety, or comfort considering the physical or mental capacity or dysfunction of the vulnerable adult. Neglect does not include actions specifically

excluded by Minn. Stat. § 626.5572, Subd. 17.

- D. “Abuse” means: (a) An act against a vulnerable adult that constitutes a violation of, an attempt to violate, or aiding and abetting a violation of: (1) assault in the first through fifth degrees as defined in sections 609.221 to 609.224; (2) the use of drugs to injure or facilitate crime as defined in section 609.235; (3) the solicitation, inducement, and promotion of prostitution as defined in section 609.322; and (4) criminal sexual conduct in the first through fifth degrees as defined in sections 609.342 to 609.3451. A violation includes any action that meets the elements of the crime, regardless of whether there is a criminal proceeding or conviction. (b) Conduct which is not an accident or therapeutic conduct as defined in this section, which produces or could reasonably be expected to produce physical pain or injury or emotional distress including, but not limited to, the following: (1) hitting, slapping, kicking, pinching, biting, or corporal punishment of a vulnerable adult; (2) use of repeated or malicious oral, written, or gestured language toward a vulnerable adult or the treatment of a vulnerable adult which would be considered by a reasonable person to be disparaging, derogatory, humiliating, harassing, or threatening; (3) use of any aversive or deprivation procedure, unreasonable confinement, or involuntary seclusion, including the forced separation of the vulnerable adult from other persons against the will of the vulnerable adult or the legal representative of the vulnerable adult; and (4) use of any aversive or deprivation procedures for persons with developmental disabilities or related conditions not authorized under section 245.825. (c) Any sexual contact or penetration as defined in section 609.341, between a facility staff person or a person providing services in the facility and a resident, patient, or client of that facility. (d) The act of forcing, compelling, coercing, or enticing a vulnerable adult against the vulnerable adult’s will to perform services for the advantage of another. Abuse does not include actions specifically excluded by Minn. Stat. § 626.5572, Subd. 2.
- E. “Financial Exploitation” means a breach of a fiduciary duty by an actor’s unauthorized expenditure of funds entrusted to the actor for the benefit of the vulnerable adult or by an actor’s failure to provide food, clothing, shelter, health care, therapeutic conduct or supervision, the failure of which results or is likely to result in detriment to the vulnerable adult. Financial exploitation also includes: the willful use, withholding or disposal of funds or property of a vulnerable adult; the obtaining of services for wrongful profit or advantage which results in detriment to the vulnerable adult; the acquisition of a vulnerable adult’s funds or property through undue influence, harassment, duress, deception or fraud; and the use of force, coercion, or enticement to cause a vulnerable adult to perform services against the vulnerable adult’s will for the profit or advantage of another.
- F. “Vulnerable Adult” means any person 18 years of age or older who: (1) is a resident or inpatient of a facility; (2) receives services required to be licensed under Minn. Stat. Ch. 245A, except as excluded under Minn. Stat. § 626.5572, Subd. 21(a)(2); (3) receives services from a licensed home care provider or person or organization that offers, provides, or arranges for personal care assistance services under the medical assistance program; or (4) regardless of residence or

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type of service received possesses a physical or mental infirmity or other physical, mental, or emotional dysfunction that impairs the individual's ability to adequately provide the person's own care without assistance or supervision and, because of the dysfunction or infirmity and need for care or services, has an impaired ability to protect the individual's self from maltreatment.

- G. "Caregiver" means an individual or facility who has responsibility for the care of a vulnerable adult as a result of a family relationship, or who has assumed responsibility for all or a portion of the care of a vulnerable adult voluntarily, by contract, or by agreement.
- H. "~~Education district~~School Personnel" means professional employees or their delegates of the education district engaged in providing health, educational, social, psychological, law enforcement, or other caretaking services of vulnerable adults.
- I. "Immediately" means as soon as possible, but no longer than 24 hours from the time initial knowledge that the incident occurred has been received.

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#### IV. REPORTING PROCEDURES

- A. A mandated reporter as defined herein shall immediately report the suspected maltreatment to the common entry point responsible for receiving reports.
- B. Whenever a mandated reporter, as defined herein, knows or has reason to believe that an individual made an error in the provision of therapeutic conduct to a vulnerable adult which results in injury or harm, which reasonably requires the care of a physician, such information shall be reported immediately to the designated county agency. The mandated reporter also may report a belief that the error did not constitute neglect and why the error does not constitute neglect.
- C. The reporter shall to the extent possible identify the vulnerable adult, the caregiver, the nature and extent of the suspected maltreatment, any evidence of previous maltreatment, the name and address of the reporter, the time, date, and location of the incident, and any other information that the reporter believes might be helpful in investigating the suspected abuse or neglect. A mandated reporter may disclose *not public data* as defined under Minn. Stat. § 13.02 to the extent necessary to comply with the above reporting requirements.
- D. A person mandated to report suspected maltreatment of a vulnerable adult who negligently or intentionally fails to report is liable for damages caused by the failure. A negligent or intentional failure to report may result in discipline. A mandatory reporter who intentionally fails to make a report, who knowingly provides false or misleading information in reporting, or who intentionally fails to provide all the material circumstances surrounding the reported incident may be guilty of a misdemeanor.
- E. Retaliation against a person who makes a good faith report under Minnesota law

and this policy, or against vulnerable adult who is named in a report is prohibited.

- F. Any person who intentionally makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury. The intentional making of a false report may result in discipline.

## V. INVESTIGATION

The responsibility for investigating reports of suspected maltreatment of a vulnerable adult rests with the entity designated by the county for receiving reports.

## VI. DISSEMINATION OF POLICY AND TRAINING

- A. This policy shall appear in education district personnel handbooks where appropriate.
- B. The education district will develop a method of discussing this policy with employees where appropriate.
- C. This policy shall be reviewed at least annually for compliance with state law.

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**Legal References:** Minn. Stat. § 13.02 (Collection, Security, and Dissemination of Records; Definitions)  
Minn. Stat. § 245.825 (Aversive and Deprivation Procedures; Licensed Facilities and Services)  
Minn. Stat. §§ 609.221-609.224 (Assault)  
Minn. Stat. § 609.234 (Crimes Against the Person)  
Minn. Stat. § 609.235 (Use of Drugs to Injure or Facilitate Crime)  
Minn. Stat. § 609.322 (Solicitation, Inducement, and Promotion of Prostitution; Sex Trafficking)  
Minn. Stat. § 609.341 (Definitions)  
Minn. Stat. §§ 609.342-609.3451 (Criminal Sexual Conduct)  
Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)  
Minn. Stat. § 626.5572 (Definitions)  
*In re Kleven*, 736 N.W.2d 707 (Minn. App. 2007)

**Cross References:** MSBA/MASA Model Policy 103 (Complaints – Students, Employees, Parents, Other Persons)  
MSBA/MASA Model Policy 211 (Criminal or Civil Action Against School District, School Board Member, Employee, or Student)  
MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)

## 423 EMPLOYEE-STUDENT RELATIONSHIPS

### I. PURPOSE

The education district is committed to an educational environment in which all students are treated with respect and dignity. Every education district employee is to provide students with appropriate guidance, understanding, and direction while maintaining a standard of professionalism and acting within accepted standards of conduct.

### II. GENERAL STATEMENT OF POLICY

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- A. This policy applies to all education district employees at all times, whether on or off duty and on or off of education district locations.
- B. At all times, students will be treated by teachers and other education district employees with respect, courtesy, and consideration and in a professional manner. Each education district employee is expected to exercise good judgment and professionalism in all interpersonal relationships with students. Such relationships must be and remain on a teacher-student basis or an employee-student basis.
- C. Teachers must be mindful of their inherent positions of authority and influence over students. Similarly, other education district employees also may hold positions of authority over students of the education district and must be mindful of their authority and influence over students.
- D. Sexual relationships between education district employees and students, without regard to the age of the student, are strictly forbidden and may subject the employee to criminal liability.
- E. Other actions that violate this policy include, but are not limited to, the following:
  - 1. Dating students.
  - 2. Having any interaction/activity of a sexual nature with a student.
  - 3. Committing or attempting to induce students or others to commit an illegal act or act of immoral conduct which may be harmful to others or bring discredit to the education district.
  - 4. Supplying alcohol or any illegal substance to a student, allowing a student access to such substances, or failing to take reasonable steps to prevent

such access from occurring.

- F. Education district employees shall, whenever possible, employ safeguards against improper relationships with students and/or claims of such improper relationships. Safeguards include the following: avoiding altogether or minimizing physical contact, keeping doors open when talking or meeting with students one-on-one, and/or making sure that such meetings with a student take place in rooms with windows and/or others nearby.
- G. Excessive informal and social involvement with individual students is unprofessional, is not compatible with employee-student relationships, and is inappropriate.
- H. Education district employees will adhere to applicable standards of ethics and professional conduct in Minnesota law.

### **III. REPORTING AND INVESTIGATION**

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- A. Complaints and/or concerns regarding alleged violations of this policy shall be handled in accordance with MSBA/MASA Model Policy 103 (Complaints – Students, Employees, Parents, Other Persons) unless other specific complaint procedures are provided within any other policy of the education district.
- B. All employees shall cooperate with any investigation of alleged acts, conduct, or communications in violation of this policy.

### **IV. EDUCATION DISTRICT ACTION**

Upon receipt of a report, the education district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. It also may include reporting to appropriate state or federal authorities, including the Minnesota Professional Educator Licensing and Standards Board or the appropriate licensing authority and appropriate agencies responsible for investigating reports of maltreatment of minors and/or vulnerable adults. Education district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and education district policies.

### **V. SCOPE OF LIABILITY**

Employees are placed on notice that if an employee acts outside the performance of the duties of the position for which the employee is employed or is guilty of malfeasance, willful neglect of duty, or bad faith, the education district is not required to defend and indemnify the employee for damages in education district-related litigation.

**Legal References:** Minn. Stat. § 13.43, Subd. 16 (School District or Charter School Disclosure of Violence or Inappropriate Sexual Contact)

Minn. Stat. § 122A.20, Subd. 2 (Mandatory Reporting to Professional Educator Licensing and Standards Board or Board of School Administrators)

Minn. Stat. § 122A.40, Subds. 5(b) and 13(b) (Mandatory immediate discharge of teachers with license revocations due to child or sex abuse convictions)

Minn. Stat. §§ 609.341-609.352 (Defining “intimate parts” and “position of authority” as well as detailing various sex offenses)

Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors)

Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)

Minn. Rules Part 3512.5200 (Code of Ethics for School Administrators)

Minn. Rules Part 8710.2100 (Code of Ethics for Minnesota Teachers)

- Cross References:***
- MSBA/MASA Model Policy 103 (Complaints – Students, Employees, Parents, Other Persons)
  - MSBA/MASA Model Policy 211 (Criminal or Civil Action Against School District, School Board Member, Employee, or Student)
  - MSBA/MASA Model Policy 306 (Administrator Code of Ethics)
  - MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
  - MSBA/MASA Model Policy 413 (Harassment and Violence)
  - MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
  - MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
  - MSBA/MASA Model Policy 421 (Gifts to Employees and School Board Members)
  - MSBA/MASA Model Policy 507 (Corporal Punishment)

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## 425 STAFF DEVELOPMENT

*[Note: The provisions of this policy substantially reflect the uniqueness of an education district. Education districts do not generate staff development funds in the same manner that an independent school district does. Our staff development funds come from specific grants. Funds that are regulated via our specific grants follow the requirements of such grant(s).]*

### I. PURPOSE

The purpose of this policy is to establish how planning and reporting on staff development that supports improved student learning will be handled in the education district given the fact that an education district does not generate staff development funds. 137

### II. DISTRICT DATA AND IMPLEMENTATION TEAM (DDIT)

The education district board will establish a District Data and Implementation Team. This team will follow the data and implementation review needs as outlined in our specific grants that drive our staff development needs. Any GCED staff member may apply to be on this team

1. The membership of the District Data and Implementation Team is voluntary. The hope is that each of GCED's 5 PLCs would have representation on this team to fully represent the needs for various programs.
2. The District Data and Implementation Team shall meet at least one time 1<sup>st</sup> semester and one time 2<sup>nd</sup> semester. Staff members will be paid hourly if the team meets outside of the contracted day.
3. Members of the District Data and Implementation Team shall serve for two consecutive years if willing.

### III. DUTIES OF THE DISTRICT DATA AND IMPLEMENTATION TEAM (DDIT)

- A. The District Data and Implementation Team may make recommendations regarding staff development opportunities to the Executive Director for consideration.
- B. The District Data and Implementation Team must focus on the following elements:
  1. Staff development outcomes which are consistent with the education outcomes as determined specifically with grants and/or education outcomes

as may be determined periodically by the education district board;

2. The means to achieve the Staff Development outcomes;
4. Ongoing staff development activities that contribute toward continuous improvement in achievement of the following goals:
  - a. Improve student achievement of state and local education standards in all areas of the curriculum by using evidence based practices and high impact methods;
  - b. Effectively meet the needs of a diverse student population, including at-risk children, children with disabilities, and gifted children, within the regular classroom and other settings;
  - c. Provide an inclusive curriculum for a racially, ethnically, and culturally diverse student population that is consistent with state education diversity rule and the district's education diversity plan;
5. The Education District's Administration will also:
  - a. Support stable and productive professional learning communities achieved through ongoing and school wide progress and growth in teaching practice including:
    1. Provide opportunities for teachers to practice and improve their instructional skills over time;
    2. Provide opportunities for teachers to use student data as part of their daily work to increase student achievement;
    3. Align with state and local academic standards;
    4. Maintain a strong subject matter focus premised on students' academic and behavior learning goals;
  - b. Emphasize coaching, professional learning communities, classroom action research, and other job-embedded models;
  - c. Ensure specialized preparation and learning about issues related to teaching students with special needs and limited English proficiency; and
  - d. Reinforce national and state standards of effective teaching practice.
  - e. Provide opportunities to build professional relationships, foster collaboration among assistant directors and staff who provide instruction, and provide opportunities for teacher-to-teacher mentoring; and

6. Staff development activities may include curriculum development and curriculum training programs and activities that provide teachers and other members of site-based teams training to enhance team performance.
7. The education district may implement other staff development activities required by law and activities associated with professional teacher compensation models.

*[Note: To the extent the education district board offers K-12 teachers the opportunity for more staff development training under Minn. Stat. § 122A.40, Subds. 7 and 7a, or Minn. Stat. § 122A.41, Subds. 4 and 4a, such additional days of staff development should include peer mentoring, peer gathering, continuing education, professional development, or other training which enable teachers to achieve the staff development outcomes enumerated above in Section III.B.4.]*

- C. The Advisory Staff Development Committee will assist Site Professional Development Teams in developing a site plan consistent with the goals and outcomes of the Staff Development Plan. 139
- D. The Advisory Staff Development Committee will evaluate staff development efforts at the site level and will report to the education district board on a quarterly basis\* the extent to which staff at the site have met the outcomes of the Staff Development Plan.
- E. The Advisory Staff Development Committee shall assist the education district in preparing any reports required by the Department of Education relating to staff development including, but not limited to, the reports referenced in Section VII. below.
- F. The education district may, in its discretion, expend an additional amount of unreserved revenue for staff development based on its needs.
- G. Individual requests from staff for leave to attend staff development activities shall be submitted and reviewed according to education district policy, staff procedures, contractual agreement, and the effect on education district operations. Failure to timely submit such requests may be cause for denial of the request.

## VII. REPORTING

- A. By June 30 of each year, the education district shall prepare an annual report of grants or activities impacting staff development, for example, the Q-Comp program.
  1. The report will include assessment and evaluation data indicating progress

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\* This time period may be changed to accommodate individual education district needs.

toward district and site staff development goals based on teaching and learning outcomes.

2. The report will also include a breakdown of how funds were used.

B. The education district will utilize the reporting form and/or system designated by the specific program's and/or grant's annual report guidelines.

**Legal References:** Minn. Stat. § 120A.41 (Length of School Year; Days of Instruction)  
Minn. Stat. § 120A.415 (Extended School Calendar)  
Minn. Stat. § 120B.22, Subd. 2 (Violence Prevention Education)  
Minn. Stat. § 122A.18, Subd. 4 (Board to Issue Licenses; Expiration and Renewal)  
Minn. Stat. § 122A.40, Subds. 7 and 7a (Employment; Contracts; Termination - Additional Staff Development and Salary)  
Minn. Stat. § 122A.41, Subds. 4 and 4a (Teacher Tenure Act; Cities of the First Class; Definitions - Additional Staff Development and Salary)  
Minn. Stat. § 122A.60 (Staff Development Program)  
Minn. Stat. § 122A.61 (Reserved Revenue for Staff Development)  
Minn. Stat. § 126C.10, Subds. 2 and 2b (General Education Revenue)  
Minn. Stat. § 126C.13, Subd. 5 (General Education Levy and Aid)

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**Cross References:**

## 427 WORKLOAD LIMITS FOR CERTAIN SPECIAL EDUCATION TEACHERS

*[Note: ~~Education-School~~ districts are required by Minn. Rule 3525.2340, Subp. 4.B., to have a policy for determining the workload limits of special education staff who provide services to students who receive direct special education services 60 percent or less of the instructional day.]*

*[Note: Minn. Stat. § 179A.07, Subd. 1, of the Public Employment Labor Relations Act (PELRA) provides that a public employer is not required to meet and negotiate on matters of inherent managerial policy. Matters of inherent managerial policy include, but are not limited to, the organizational structure, selection of personnel, and direction and number of personnel. MSBA's position is that this policy is not a mandatory subject of bargaining. ~~Education-School~~ districts, therefore, are cautioned to not relinquish their inherent managerial right to determine workload limits for special education teachers.]*

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### I. PURPOSE

The purpose of this policy is to establish general parameters for determining the workload limits of special education staff who provide services to children with disabilities receiving direct special education services 60 percent or less of the instructional day.

### II. DEFINITIONS

#### A. Special Education Staff; Special Education Teacher

“Special education staff” and “special education teacher” both mean a teacher employed by the education district who is licensed under the rules of the Minnesota Professional Educator Licensing and Standards Board to instruct children with specific disabling conditions.

#### B. Direct Services

“Direct services” means special education services provided by a special education teacher when the services are related to instruction, including cooperative teaching.

#### C. Indirect Services

“Indirect services” means special education services provided by a special education teacher which include ongoing progress reviews; cooperative planning; consultation; demonstration teaching; modification and adaptation of the

environment, curriculum, materials, or equipment; and direct contact with children with disabilities to monitor and observe.

D. Workload

“Workload” means a special education teacher’s total number of minutes required for all due process responsibilities, including direct and indirect services, evaluation and reevaluation time, management of individualized education programs (IEPs), travel time, parental contact, and other services required in the IEPs.

**III. GENERAL STATEMENT OF POLICY**

A. Workload limits for special education teachers shall be determined by the appropriate special education administrator, in consultation with the building principal and the executive director.

B. In determining workload limits for special education staff, the education district shall take into consideration the following factors: student contact minutes, evaluation and reevaluation time, indirect services, management of IEPs, travel time, and other services required in the IEPs of eligible students. 142

**IV. COLLECTIVE BARGAINING AGREEMENT UNAFFECTED**

This policy shall not be construed as a reopening of negotiations between the education district and the special education teachers’ exclusive representative, nor shall it be construed to alter or limit in any way the managerial rights or other authority of the education district set forth in the Public Employment Labor Relations Act or in the collective bargaining agreement between the education district and the special education teachers’ exclusive representative.

**Legal References:** Minn. Stat. § 179A.07, Subd. 1 (Inherent Managerial Policy)  
Minn. Rule 3525.0210, Subps. 14, 27, 44, and 49 (Definitions of “Direct Services,” “Indirect Services,” “Teacher,” and “Workload”)  
Minn. Rule 3525.2340, Subp. 4.B. (Case Loads for School-Age Educational Service Alternatives)

**Cross References:** MSBA/MASA Model Policy 508 (Extended School Year for Certain Students with Individualized Education Programs)  
MSBA/MASA Model Policy 608 (Instructional Services – Special Education)

## 514 BULLYING PROHIBITION POLICY

*[Note: ~~Education~~ School districts are required by statute to have a policy addressing bullying.]*

### I. PURPOSE

A safe and civil environment is needed for students to learn and attain high academic standards and to promote healthy human relationships. Bullying, like other violent or disruptive behavior, is conduct that interferes with a student's ability to learn and/or a teacher's ability to educate students in a safe environment. The education district cannot monitor the activities of students at all times and eliminate all incidents of bullying between students, particularly when students are not under the direct supervision of education district personnel. However, to the extent such conduct affects the educational environment of the education district and the rights and welfare of its students and is within the control of the education district in its normal operations, the education district intends to prevent bullying and to take action to investigate, respond to, and to remediate and discipline for those acts of bullying which have not been successfully prevented. The purpose of this policy is to assist the education district in its goal of preventing and responding to acts of bullying, intimidation, violence, reprisal, retaliation, and other similar disruptive and detrimental behavior.

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### II. GENERAL STATEMENT OF POLICY

- A. An act of bullying, by either an individual student or a group of students, is expressly prohibited on education district premises, on education district property, at education district functions or activities, or on education district transportation. This policy applies not only to students who directly engage in an act of bullying but also to students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose conduct at any time or in any place constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations of the education district or the safety or welfare of the student or other students, or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in education district functions or activities or receive education district benefits, services, or privileges. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off education district property and/or with or without the use of education district resources.
- B. No teacher, administrator, volunteer, contractor, or other employee of the education district shall permit, condone, or tolerate bullying.
- C. Apparent permission or consent by a student being bullied does not lessen or negate

the prohibitions contained in this policy.

- D. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.
- E. False accusations or reports of bullying against another student are prohibited.
- F. A person who engages in an act of bullying, reprisal, retaliation, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline or other remedial responses for that act in accordance with the education district's policies and procedures, including the education district's discipline policy (See MSBA/MASA Model Policy 506). The education district may take into account the following factors:
  - 1. The developmental ages and maturity levels of the parties involved;
  - 2. The levels of harm, surrounding circumstances, and nature of the behavior; 144
  - 3. Past incidences or past or continuing patterns of behavior;
  - 4. The relationship between the parties involved; and
  - 5. The context in which the alleged incidents occurred.

Consequences for students who commit prohibited acts of bullying may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion. The education district shall employ research-based developmentally appropriate best practices that include preventative and remedial measures and effective discipline for deterring violations of this policy, apply throughout the education district, and foster student, parent, and community participation.

Consequences for employees who permit, condone, or tolerate bullying or engage in an act of reprisal or intentional false reporting of bullying may result in disciplinary action up to and including termination or discharge.

Consequences for other individuals engaging in prohibited acts of bullying may include, but not be limited to, exclusion from education district property and events.

- G. The education district will act to investigate all complaints of bullying reported to the education district and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the education district who is found to have violated this policy.

### **III. DEFINITIONS**

For purposes of this policy, the definitions included in this section apply.

- A. “Bullying” means intimidating, threatening, abusive, or harming conduct that is objectively offensive and:
1. an actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the prohibited conduct, and the conduct is repeated or forms a pattern; or
  2. materially and substantially interferes with a student’s educational opportunities or performance or ability to participate in education district functions or activities or receive education district benefits, services, or privileges.

The term, “bullying,” specifically includes cyberbullying as defined in this policy.

- B. “Cyberbullying” means bullying using technology or other electronic communication, including, but not limited to, a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network Internet website or forum, transmitted through a computer, cell phone, or other electronic device. The term applies to prohibited conduct which occurs on education district premises, on education district property, at education district functions or activities, on education district transportation, or on education district computers, networks, forums, and mailing lists, or off education district premises to the extent that it substantially and materially disrupts student learning or the education district environment.

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- C. “Immediately” means as soon as possible but in no event longer than 24 hours.

- D. “Intimidating, threatening, abusive, or harming conduct” means, but is not limited to, conduct that does the following:

1. Causes physical harm to a student or a student’s property or causes a student to be in reasonable fear of harm to person or property;
2. Under Minnesota common law, violates a student’s reasonable expectation of privacy, defames a student, or constitutes intentional infliction of emotional distress against a student; or
3. Is directed at any student or students, including those based on a person’s actual or perceived race, ethnicity, color, creed, religion, national origin, immigration status, sex, marital status, familial status, socioeconomic status, physical appearance, sexual orientation including gender identity and expression, academic status related to student performance, disability, or status with regard to public assistance, age, or any additional characteristic defined in the Minnesota Human Rights Act (MHRA). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.

- E. “On education district premises, on education district property, at education district functions or activities, or on education district transportation” means all education

district buildings, education district grounds, and education district property or property immediately adjacent to education district grounds, school bus stops, school buses, education district vehicles, education district contracted vehicles, or any other vehicles approved for education district purposes, the area of entrance or departure from education district grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. Education district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting bullying at these locations and events, the education district does not represent that it will provide supervision or assume liability at these locations and events.

- F. "Prohibited conduct" means bullying or cyberbullying as defined in this policy or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about bullying.
- G. "Remedial response" means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of prohibited conduct. 146
- H. "Student" means a student enrolled in a public school or a charter school.

#### IV. REPORTING PROCEDURE

- A. Any person who believes he or she has been the target or victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate education district official designated by this policy. A person may report bullying anonymously. However, the education district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The education district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available in the education district office, but oral reports shall be considered complaints as well.
- C. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or other prohibited conduct directly to ~~a~~an education district human rights officer or the executive director. If the complaint involves the building report taker, the complaint shall be made or filed directly with the executive director or the education district human rights officer by the reporting party or complainant.

The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as the primary contact on policy and procedural matters. The building report taker or a

third party designated by the education district shall be responsible for the investigation. The building report taker shall provide information about available community resources to the target or victim of the bullying or other prohibited conduct, the perpetrator, and other affected individuals as appropriate.

- D. A teacher, education district administrator, volunteer, contractor, or other education district employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make reasonable efforts to address and resolve the bullying or prohibited conduct and shall inform the building report taker immediately. Education district personnel who fail to inform the building report taker of conduct that may constitute bullying or other prohibited conduct or who fail to make reasonable efforts to address and resolve the bullying or prohibited conduct in a timely manner may be subject to disciplinary action.
- E. Reports of bullying or other prohibited conduct are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of bullying and the record of any resulting investigation. 147
- F. Submission of a good faith complaint or report of bullying or other prohibited conduct will not affect the complainant's or reporter's future employment, grades, work assignments, or educational or work environment.
- G. The education district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the education district's obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

## **V. EDUCATION DISTRICT ACTION**

- A. Within three days of the receipt of a complaint or report of bullying or other prohibited conduct, the education district shall undertake or authorize an investigation by the building report taker or a third party designated by the education district.
- B. The building report taker or other appropriate education district officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the bullying or other prohibited conduct, consistent with applicable law.
- C. The alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.

- D. Upon completion of an investigation that determines that bullying or other prohibited conduct has occurred, the education district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited conduct. Remedial responses to the bullying or other prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy. Education district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; the student discipline policy (See MSBA/MASA Model Policy 506) and other applicable education district policies; and applicable regulations.
- E. The education district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the education district. Education district officials will notify the parent(s) or guardian(s) of students who are targets of bullying or other prohibited conduct and the parent(s) or guardian(s) of alleged perpetrators of bullying or other prohibited conduct who have been involved in a reported and confirmed bullying incident of the remedial or disciplinary action taken, to the extent permitted by law. 148
- F. In order to prevent or respond to bullying or other prohibited conduct committed by or directed against a child with a disability, the education district shall, when determined appropriate by the child's individualized education program (IEP) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in bullying or other prohibited conduct.

## **VI. RETALIATION OR REPRISAL**

The education district will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the education district who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged bullying or prohibited conduct, who provides information about bullying or prohibited conduct, who testifies, assists, or participates in an investigation of alleged bullying or prohibited conduct, or who testifies, assists, or participates in a proceeding or hearing relating to such bullying or prohibited conduct. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy.

## **VII. TRAINING AND EDUCATION**

- A. The education district shall discuss this policy with education district personnel and volunteers and provide appropriate training to education district personnel regarding this policy. The education district shall establish a training cycle for education district personnel to occur during a period not to exceed every three school years. Newly employed education district personnel must receive the training within the first year of their employment with the education district. The education district or an education district administrator may accelerate the training cycle or provide additional training based on a particular need or circumstance. This policy shall be included in employee handbooks, training materials, and publications on education district rules, procedures, and standards of conduct, which materials shall also be used to publicize this policy.
- B. The education district shall require ongoing professional development, consistent with Minn. Stat. § 122A.60, to build the skills of all education district personnel who regularly interact with students to identify, prevent, and appropriately address bullying and other prohibited conduct. Such professional development includes, but is not limited to, the following:
1. Developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;
  2. The complex dynamics affecting a perpetrator, target, and witnesses to prohibited conduct;
  3. Research on prohibited conduct, including specific categories of students at risk for perpetrating or being the target or victim of bullying or other prohibited conduct in school;
  4. The incidence and nature of cyberbullying; and
  5. Internet safety and cyberbullying.
- C. The education district annually will provide education and information to students regarding bullying, including information regarding this education district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying and other prohibited conduct.
- D. The administration of the education district is directed to implement programs and other initiatives to prevent bullying, to respond to bullying in a manner that does not stigmatize the target or victim, and to make resources or referrals to resources available to targets or victims of bullying.
- E. The administration is encouraged to provide developmentally appropriate instruction and is directed to review programmatic instruction to determine if adjustments are necessary to help students identify and prevent or reduce bullying and other prohibited conduct, to value diversity in school and society, to develop and improve students' knowledge and skills for solving problems, managing conflict, engaging in civil discourse, and recognizing, responding to, and reporting

bullying or other prohibited conduct, and to make effective prevention and intervention programs available to students.

The administration must establish strategies for creating a positive school climate and use evidence-based social-emotional learning to prevent and reduce discrimination and other improper conduct.

The administration is encouraged, to the extent practicable, to take such actions as it may deem appropriate to accomplish the following:

1. Engage all students in creating a safe and supportive school environment;
2. Partner with parents and other community members to develop and implement prevention and intervention programs;
3. Engage all students and adults in integrating education, intervention, and other remedial responses into the school environment;
4. Train student bystanders to intervene in and report incidents of bullying and other prohibited conduct to the schools' primary contact person;
5. Teach students to advocate for themselves and others;
6. Prevent inappropriate referrals to special education of students who may engage in bullying or other prohibited conduct; and
7. Foster student collaborations that, in turn, foster a safe and supportive school climate.

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F. The education district may implement violence prevention and character development education programs to prevent or reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.

G. The education district shall inform affected students and their parents of rights they may have under state and federal data practices laws to obtain access to data related to an incident and their right to contest the accuracy or completeness of the data. The education district may accomplish this requirement by inclusion of all or applicable parts of its protection and privacy of pupil records policy (See MSBA/MASA Model Policy 515) in the student handbook.

## VIII. NOTICE

A. The education district will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.

- B. This policy or a summary thereof must be conspicuously posted in the administrative offices of the education district and the office of each school.
- C. This policy must be given to each education district employee and independent contractor who regularly interacts with students at the time of initial employment with the education district.
- D. Notice of the rights and responsibilities of students and their parents under this policy must be included in the student discipline policy (See MSBA/MASA Model Policy 506) distributed to parents at the beginning of each school year.
- E. This policy shall be available to all parents and other school community members in an electronic format in the language appearing on the education district's or a school's website.
- F. The education district shall provide an electronic copy of its most recently amended policy to the Commissioner of Education.

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## IX. POLICY REVIEW

To the extent practicable, the education district board shall, on a cycle consistent with other education district policies, review and revise this policy. The policy shall be made consistent with Minn. Stat. § 121A.031 and other applicable law. Revisions shall be made in consultation with students, parents, and community organizations.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 120A.05, Subds. 9, 11, 13, and 17 (Definition of Public School)  
Minn. Stat. § 120B.232 (Character Development Education)  
Minn. Stat. § 121A.03 (Sexual, Religious and Racial Harassment and Violence)  
Minn. Stat. § 121A.031 (School Student Bullying Policy)  
Minn. Stat. § 121A.0311 (Notice of Rights and Responsibilities of Students and Parents under the Safe and Supportive Minnesota Schools Act)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.69 (Hazing Policy)  
Minn. Stat. Ch. 124E (Charter School)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)  
34 C.F.R. §§ 99.1 - 99.67 (Family Educational Rights and Privacy)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)  
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment)

of Vulnerable Adults)

MSBA/MASA Model Policy 423 (Employee-Student Relationships)

MSBA/MASA Model Policy 501 (School Weapons Policy)

MSBA/MASA Model Policy 506 (Student Discipline)

MSBA/MASA Model Policy 507 (Corporal Punishment)

MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil  
Records)

MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)

MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)

MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety  
Policy)

MSBA/MASA Model Policy 525 (Violence Prevention)

MSBA/MASA Model Policy 526 (Hazing Prohibition)

MSBA/MASA Model Policy 529 (Staff Notification of Violent Behavior  
by Students)

MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)

MSBA/MASA Model Policy 711 (Video Recording on School Buses)

MSBA/MASA Model Policy 712 (Video Surveillance Other Than on  
Buses)

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## 515 PROTECTION AND PRIVACY OF PUPIL RECORDS

*[Note: ~~Education-School~~ districts are required by statute to have a policy addressing these issues.]*

### I. PURPOSE

The education district recognizes its responsibility in regard to the collection, maintenance, and dissemination of pupil records and the protection of the privacy rights of students as provided in federal law and state statutes.

### II. GENERAL STATEMENT OF POLICY

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The following procedures and policies regarding the protection and privacy of parents and students are adopted by the education district, pursuant to the requirements of 20 U.S.C. § 1232g, *et seq.*, (Family Educational Rights and Privacy Act (FERPA)) 34 C.F.R. Part 99 and consistent with the requirements of the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and Minn. Rules Parts 1205.0100-1205.2000.

### III. DEFINITIONS

#### A. Authorized Representative

“Authorized representative” means any entity or individual designated by the education district, state, or an agency headed by an official of the Comptroller of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or state and local educational authorities to conduct, with respect to federal or state supported education programs, any audit or evaluation or any compliance or enforcement activity in connection with federal legal requirements that relate to these programs.

#### B. Biometric Record

“Biometric record,” as referred to in “Personally Identifiable,” means a record of one or more measurable biological or behavioral characteristics that can be used for authorized recognition of an individual (e.g., fingerprints, retina and iris patterns, voice prints, DNA sequence, facial characteristics, and handwriting).

#### C. Dates of Attendance

“Dates of attendance,” as referred to in “Directory Information,” means the period of time during which a student attends or attended ~~an education district~~ a school or ~~education district~~ schools in the education district, including attendance in person



# GOODHUE COUNTY EDUCATION DISTRICT #6051

395 Guernsey Lane, Red Wing, MN 55066 • Phone 651.388.4441 • Fax 651.388.9557

**Member Districts:** Cannon Falls #252 • Goodhue #253 • Kenyon-Wanamingo #2172 • Lake City #813 • Red Wing #256 • Zumbrota-Mazeppa #2805

## PUBLIC NOTICE

Goodhue County Education District, 6051-61 gives notice to parents of students currently in attendance in the District, and eligible students currently in attendance in the District, of their rights regarding pupil records.

1. Parents and eligible students are hereby informed that they have the following rights:
  - a. That a parent or eligible student has a right to inspect and review the student's education records within 45 days after the day the request for access is received by the district ~~district~~. A parent or eligible student should submit to the district ~~district~~ a written request to inspect education records which identify as precisely as possible the record or records he or she wishes to inspect. The parent or eligible student will be notified of the time and place where the records may be inspected;
  - b. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy rights. A parent or eligible student may ask the education district to amend a record that they believe is inaccurate or misleading. The request shall be in writing, identify the item the parent or eligible student believes to be inaccurate, misleading, or in violation of the privacy rights of the student, shall state the reason for this belief, and shall specify the correction the parent or eligible student wishes the education district to make. The request shall be signed by the parent or eligible student. If the education district decides not to amend the record as requested by the parent or eligible student, the education district will notify the parent or eligible student of the decision and advise him or her of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing;
  - c. That the parent or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated thereunder authorize disclosures without consent;
  - d. That the education district may disclose education records to other ~~education~~ school officials within the education district if the education district has determined they have legitimate educational interests. For purposes of such disclosure, a "~~education-district~~ school official" is a person employed by the education district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or other employee; a person serving on the school board; a person or company with whom the education district has consulted to perform a specific task (such as an attorney, auditor, medical consultant, therapist, public information officer, or data practices compliance official); or a parent or student serving on an official

committee, such as a disciplinary or grievance committee; or any individual assisting a school official in the performance of his or her tasks. A school official has a “legitimate educational interest” if the individual needs to review an education record in order to fulfill his or her professional responsibility and includes, but is not limited to, an interest directly related to classroom instruction, teaching, student achievement and progress, discipline of a student, and student health and welfare and the ability to respond to a request for educational data;

- e. That the education district forwards education records on request to a school or post-secondary educational institution in which a student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student’s enrollment, including information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, suspension and expulsion information pursuant to ~~section 4155 of the federal No Child Left Behind Act~~ *[insert the following bracketed phrase if the education district has a policy regarding Staff Notification of Violent Behavior by Students]* ~~[20 U.S.C. § 7917, part of the federal Every Student Succeeds Act~~ and data regarding a student’s history of violent behavior,] and any disposition order which adjudicates the student as delinquent for committing an illegal act on education district property and certain other illegal acts; 155
- f. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the education district to comply with the requirements of 20 U.S.C. § 1232g and the rules promulgated thereunder. The name and address of the office that administers the Family Education Rights and Privacy Act is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue S.W.  
Washington, D.C. 20202

- ~~ptional]~~ g. That the parent or eligible student has a right to obtain a copy of the education district’s policy regarding the protection and privacy of pupil records; and
- ~~ptional]~~ h. That copies of the education district’s policy regarding the protection and privacy of school records are located at Main Office.

~~ptional]~~ 2. Goodhue County Education District, 6051-61 has adopted a school board policy in order to comply with state and federal laws regarding education records. The policy does the following:

- a. It classifies records as public, private, or confidential.
- b. It establishes procedures and regulations to permit parents or students to inspect and review a student’s education records. These procedures include the method of determining fees for copies, a listing of the locations of these education records, and the identity of the individuals in charge of the records.
- c. It establishes procedures and regulations to allow parents or students to request the amendment of a student’s education records to ensure that the records are not inaccurate, misleading, or otherwise in violation of the student’s privacy rights.
- d. It establishes procedures and regulations for access to and disclosure of education records.

- e. It establishes procedures and regulations for safeguarding the privacy of education records and for obtaining prior written consent of the parent or student when required prior to disclosure.
3. Copies of the [school-education district](#) board policy and accompanying procedures and regulations are available to parents and students upon written request to the Executive director.
4. Pursuant to applicable law, Goodhue County Education District, 6051-61 gives notice to parents of students currently in attendance in the education district, and eligible students currently in attendance in the education district, of their rights regarding “directory information.”

“Directory information” includes the following information relating to a student: the student’s name; address; telephone number; electronic mail address; photograph; date and place of birth; major field of study; dates of attendance; grade level; enrollment status; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; the most recent educational agency or institution attended by the student; and other similar information. “Directory information” also includes the name, address, and telephone number of the student’s parent(s). “Directory information” does not include a student’s social security number or a student’s identification number (ID) if the ID may be used to access education records without use of one or more factors that authenticate the student’s identity such as a personal identification number, password, or other factor known or possessed only by the authorized user. It also does not include identifying information on a student’s religion, race, color, social position, or nationality.

~~*[Note: The definition of directory information is found on page 515-2 of the education district’s policy. This definition includes all of the types of information specifically referenced by state and federal law as directory information. A education district may choose not to include some or all of the enumerated information as directory information. A education district also may add to the list of directory information, as long as the added data is not information that generally would be deemed as an invasion of privacy or information that references the student’s religion, race, color, social position, or nationality. A education district also may specify in this section that the disclosure of directory information will be limited to specific parties, for specific purposes, or both. The identity of those parties and/or purposes should be identified. To the extent a education district adds these restrictions, it must then limit its directory information disclosures to those individuals and/or purposes specified in this public notice. Procedures to address how these restrictions will be enforced by the education district are advised. Designation of directory information is an important policy decision for the local school board which must balance not only the privacy interests of the student against public disclosure but also the additional administrative requirements such restrictions on disclosures will place on the education district.]*~~

- a. The information listed above shall be public information which the education district may disclose from the education records of a student or information regarding a parent.
- b. Should the parent of a student or the student so desire, any or all of the listed information will not be disclosed without the parent’s or eligible student’s prior written consent except to school officials as provided under federal law.
- c. In order to make any or all of the directory information listed above “private” (i.e., subject to consent prior to disclosure), the parent or eligible student must make a written request

to the building principal within thirty (30) days after the date of the last publication of this notice. This written request must include the following information:

- (1) name of student and parent, as appropriate;
  - (2) home address;
  - (3) school presently attended by student;
  - (4) parent's legal relationship to student, if applicable;
  - (5) specific category or categories of directory information which is not to be made public without the parent's or eligible student's prior written consent.
5. Pursuant to applicable law, Goodhue County Education District, 6051-61 hereby gives notice to parents of students and eligible students in grades 11 and 12 of their rights regarding release of information to military recruiting officers and post-secondary educational institutions. The education district must release the names, addresses, and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions within sixty (60) days after the date of the request. Data released to military recruiting officers under this provision may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military and cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces.

***Notice: Refusal to release the above information to military recruiting officers and post-secondary educational institutions alone does not affect the education district's release of directory information to the public, including military recruiting officers and post-secondary educational institutions. In order to make any directory information about a student private, the procedures contained in the Directory Information section of this notice also must be followed. If you do not want your child's or eligible student's directory information released to military recruiting officers or post-secondary educational institutions, you also must notify the education district that you do not want this directory information released to any member of the public, including military recruiting officers and post-secondary educational institutions.***

GOODHUE COUNTY EDUCATION DISTRICT 6051-61, RED WING MINNESOTA

Dated: \_\_\_\_\_

Chair: \_\_\_\_\_

***[Note: The use of this form requesting information about specific activities or behavior is mandated by statute. In addition, the education district is required to maintain such requests and a record of any release in the student's file.]***

**JUVENILE JUSTICE SYSTEM  
REQUEST FOR INFORMATION**

Family Educational Rights and Privacy Act  
Minnesota Government Data Practices Act, Minn. Stat. § 13.32, Subds. 3(i) and 8(b)

**DATE/TIME OF REQUEST:** \_\_\_\_\_

**TO:** \_\_\_\_\_  
(Executive director of education district or chief administrative officer of school)

**FROM:** \_\_\_\_\_  
(Requester's name/agency)

**STUDENT:** \_\_\_\_\_

**BASIS FOR REQUEST:**

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\_\_\_\_\_ Juvenile delinquency investigation/prosecution

\_\_\_\_\_ Child protection assessment/investigation

\_\_\_\_\_ Investigation/filing of CHIPS or delinquency petition

**REASON FOR REQUEST:** (Requester must describe why information regarding existence of the data marked below is necessary to effectively serve the student)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**RESPONSE TO REQUEST:**

The school must indicate whether it has data on the student that document any activity or behavior marked by the requester.

**INFORMATION REQUESTED:** (*mark all that apply*)    **RESPONSE PROVIDED:** (*yes / no*)

Indicate whether you have data that document the student's:

\_\_\_\_\_ Use of a controlled substance, alcohol, or tobacco \_\_\_\_\_

\_\_\_\_\_ Assaultive or threatening conduct as defined in  
Minn. Stat. § 13.32, Subd. 8 \_\_\_\_\_

\_\_\_\_\_ Possession or use of weapons or look-alike weapons \_\_\_\_\_

\_\_\_\_\_ Theft \_\_\_\_\_

**CERTIFICATION:** The undersigned certifies that he or she is a member of the juvenile justice system. The requested data are needed by the juvenile justice system so it may effectively serve, prior to adjudication, the student whose records are released. The undersigned will not disclose the information received to any other party, except as provided under state law, without prior written consent as required by Code of Federal Regulations, title 34, section 99.38(b). The undersigned further certifies that he or she understands that, by signing this request, he or she is subject to the penalties in Minn. Stat. § 13.09.

\_\_\_\_\_  
Signature/Title

*[Note: A principal or chief administrative officer of a school who receives such a request to disclose information about a student to the juvenile justice system shall, to the extent permitted by federal law, notify the student's parent or guardian by certified mail of the request to disclose information before disclosing the information. If the student's parent or guardian notifies the principal or chief administrative officer within ten (10) days of receiving the certified notice that the parent or guardian objects to the disclosure, the principal or chief administrative officer must not disclose the information. The principal or chief administrative officer must inform the requesting member of the juvenile justice system of the objection. If no objection from the parent or guardian is received within fourteen (14) days, the principal or chief administrative officer must respond to the data request.]*

## 524 INTERNET ACCEPTABLE USE AND SAFETY POLICY

*[Note: ~~Education~~-School districts are required by statute to have a policy addressing these issues.]*

### I. PURPOSE

The purpose of this policy is to set forth policies and guidelines for access to the education district computer system and acceptable and safe use of the Internet, including electronic communications.

### II. GENERAL STATEMENT OF POLICY

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In making decisions regarding student and employee access to the education district computer system and the Internet, including electronic communications, the education district considers its own stated educational mission, goals, and objectives. Electronic information research skills are now fundamental to preparation of citizens and future employees. Access to the education district computer system and to the Internet enables students and employees to explore thousands of libraries, databases, bulletin boards, and other resources while exchanging messages with people around the world. The education district expects that faculty will blend thoughtful use of the education district computer system and the Internet throughout the curriculum and will provide guidance and instruction to students in their use.

### III. LIMITED EDUCATIONAL PURPOSE

The education district is providing students and employees with access to the education district computer system, which includes Internet access. The purpose of the system is more specific than providing students and employees with general access to the Internet. The education district system has a limited educational purpose, which includes use of the system for classroom activities, educational research, and professional or career development activities. Users are expected to use Internet access through the district system to further educational and personal goals consistent with the mission of the education district and education district policies. Uses which might be acceptable on a user's private personal account on another system may not be acceptable on this limited-purpose network.

### IV. USE OF SYSTEM IS A PRIVILEGE

The use of the education district system and access to use of the Internet is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of the education district system or the Internet may result in one or more of the following consequences: suspension or cancellation of use or access

privileges; payments for damages and repairs; discipline under other appropriate education district policies, including suspension, expulsion, exclusion, or termination of employment; or civil or criminal liability under other applicable laws.

## V. UNACCEPTABLE USES

A. The following uses of the education district system and Internet resources or accounts are considered unacceptable:

1. Users will not use the education district system to access, review, upload, download, store, print, post, receive, transmit, or distribute:
  - a. pornographic, obscene, or sexually explicit material or other visual depictions that are harmful to minors;
  - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
  - c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;
  - d. information or materials that could cause damage or danger of disruption to the educational process;
  - e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.
2. Users will not use the education district system to knowingly or recklessly post, transmit, or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
3. Users will not use the education district system to engage in any illegal act or violate any local, state, or federal statute or law.
4. Users will not use the education district system to vandalize, damage, or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software, or system performance by spreading computer viruses or by any other means, will not tamper with, modify, or change the education district system software, hardware, or wiring or take any action to violate the education district's security system, and will not use the education district system in such a way as to disrupt the use of the system by other users.
5. Users will not use the education district system to gain unauthorized access to information resources or to access another person's materials, information, or files without the implied or direct permission of that person.

6. Users will not use the education district system to post private information about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, addresses, telephone numbers, education district addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs, or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message. *[Note: Education districts should consider the impact of this paragraph on present practices and procedures, including, but not limited to, practices pertaining to employee communications, education district or classroom websites, and student/employee use of social networking websites. Depending upon education district policies and practices, education districts may wish to add one or more of the following clarifying paragraphs.]*

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- a. This paragraph does not prohibit the posting of employee contact information on education district webpages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).
- b. Employees creating or posting education district-related webpages may include personal contact information about themselves on a webpage. However, employees may not post personal contact information or other personally identifiable information about students unless:
- (1) such information is classified by the education district as directory information and verification is made that the education district has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with Policy 515; or
  - (2) such information is not classified by the education district as directory information but written consent for release of the information to be posted has been obtained from a parent/guardian or eligible student in accordance with Policy 515.

In addition, prior to posting any personal contact or personally identifiable information on an education district-related webpage, employees shall obtain written approval of the content of the postings from the building administrator.

- c. These prohibitions specifically prohibit a user from utilizing the education district system to post personal information about a user or another individual on social networks, including, but not limited to, social networks such as “Facebook,” “Twitter,” “Instagram,” “Snapchat,” and “Reddit,” and similar websites or applications.
7. Users must keep all account information and passwords on file with the designated education district official. Users will not attempt to gain unauthorized access to the education district system or any other system through the education district system, attempt to log in through another person’s account, or use computer accounts, access codes, or network identification other than those assigned to the user. Messages and records on the education district system may not be encrypted without the permission of appropriate education district authorities.
8. Users will not use the education district system to violate copyright laws or usage licensing agreements, or otherwise to use another person’s property without the person’s prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any education district computer, and will not plagiarize works they find on the Internet.
9. Users will not use the education district system for conducting business, for unauthorized commercial purposes, or for financial gain unrelated to the mission of the education district. Users will not use the education district system to offer or provide goods or services or for product advertisement. Users will not use the education district system to purchase goods or services for personal use without authorization from the appropriate education district official.
10. Users will not use the education district system to engage in bullying or cyberbullying in violation of the education district’s Bullying Prohibition Policy (MSBA/MASA Model Policy 514). This prohibition includes using any technology or other electronic communication off education district premises to the extent that student learning or the education district environment is substantially and materially disrupted.
- B. A student or employee engaging in the foregoing unacceptable uses of the Internet when off education district premises also may be in violation of this policy as well as other education district policies. Examples of such violations include, but are not limited to, situations where the education district system is compromised or if a education district employee or student is negatively impacted. If the education district receives a report of an unacceptable use originating from a non-education district computer or resource, the education district may investigate such reports to the best of its ability. Students or employees may be subject to disciplinary action for such conduct, including, but not limited to, suspension or cancellation of the use or access to the education district computer system and the Internet and discipline under other appropriate education district policies, including suspension, expulsion,

exclusion, or termination of employment.

- C. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate education district official. In the case of an education district employee, the immediate disclosure shall be to the employee's immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of an education district employee, the building administrator.

## VI. FILTER

*[Note: Pursuant to state law, ~~education-school~~ districts are required to restrict access to inappropriate materials on education district computers with Internet access. ~~Education-school~~ districts which seek technology revenue pursuant to Minn. Stat. § 125B.26 or certain federal funding, such as e-rate discounts, for purposes of Internet access and connection services and/or receive funds to purchase Internet accessible computers are subject to the federal Children's Internet Protection Act, effective in 2001. Those districts are required to comply with additional standards in restricting possible access to inappropriate materials.]*

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### ALTERNATIVE NO. 3

*~~Education-School~~ districts which receive certain federal funding, such as e-rate discounts, for purposes of Internet access and connection services and/or receive funds to purchase Internet accessible computers are subject to the federal Children's Internet Protection Act, effective in 2001. This law requires education districts to adopt an Internet safety policy which contains the provisions set forth below. Also, the Act requires such education districts to provide reasonable notice and hold at least one public hearing or meeting to address the proposed Internet safety policy prior to its implementation. ~~Education-School~~ districts that do not seek such federal financial assistance need not adopt the alternative language set forth below nor meet the requirements with respect to a public meeting to review the policy. ~~The following alternative language for education districts that seek such federal financial assistance satisfies both state and federal law requirements.~~*

- A. With respect to any of its computers with Internet access, the education district will monitor the online activities of both minors and adults and employ technology protection measures during any use of such computers by minors and adults. The technology protection measures utilized will block or filter Internet access to any visual depictions that are:
1. Obscene;

2. Child pornography; or
  3. Harmful to minors.
- B. The term “harmful to minors” means any picture, image, graphic image file, or other visual depiction that:
1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or
  2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
  3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
- C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.
- D. An administrator, supervisor, or other person authorized by the Executive director may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes.
- E. The education district will educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

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*[Note: Although education districts are not required to adopt the more restrictive provisions contained in either Alternative No. 2 or No. 3 if they do not seek state or federal funding, they may choose to adopt the more restrictive provisions as a matter of education district policy.]*

## **VII. CONSISTENCY WITH OTHER EDUCATION DISTRICT POLICIES**

Use of the education district computer system and use of the Internet shall be consistent with education district policies and the mission of the education district.

## **VIII. LIMITED EXPECTATION OF PRIVACY**

- A. By authorizing use of the education district system, the education district does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy in the contents of personal files on the education district system.
- B. Routine maintenance and monitoring of the education district system may lead to a discovery that a user has violated this policy, another education district policy, or the law.

- C. An individual investigation or search will be conducted if education district authorities have a reasonable suspicion that the search will uncover a violation of law or education district policy.
- D. Parents have the right at any time to investigate or review the contents of their child's files and e-mail files. Parents have the right to request the termination of their child's individual account at any time.
- E. Education district employees should be aware that the education district retains the right at any time to investigate or review the contents of their files and e-mail files. In addition, education district employees should be aware that data and other materials in files maintained on the education district system may be subject to review, disclosure or discovery under Minn. Stat. Ch. 13 (the Minnesota Government Data Practices Act).
- F. The education district will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with education district policies conducted through the education district system.

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#### **IX. INTERNET USE AGREEMENT**

- A. The proper use of the Internet, and the educational value to be gained from proper Internet use, is the joint responsibility of students, parents, and employees of the education district.
- B. This policy requires the permission of and supervision by the education district's designated professional staff before a student may use a education district account or resource to access the Internet.
- C. The Internet Use Agreement form for students must be read and signed by the user, the parent or guardian, and the supervising teacher. The Internet Use Agreement form for employees must be signed by the employee. The form must then be filed at the education district office. As supervising teachers change, the agreement signed by the new teacher shall be attached to the original agreement.

#### **X. LIMITATION ON EDUCATION DISTRICT LIABILITY**

Use of the education district system is at the user's own risk. The system is provided on an "as is, as available" basis. The education district will not be responsible for any damage users may suffer, including, but not limited to, loss, damage, or unavailability of data stored on education district diskettes, tapes, hard drives, or servers, or for delays or changes in or interruptions of service or mis-deliveries or non-deliveries of information or materials, regardless of the cause. The education district is not responsible for the accuracy or quality of any advice or information obtained through or stored on the education district system. The education district will not be responsible for financial obligations arising through unauthorized use of the education district system or the Internet.

## **XI. USER NOTIFICATION**

- A. All users shall be notified of the education district policies relating to Internet use.
- B. This notification shall include the following:
  - 1. Notification that Internet use is subject to compliance with education district policies.
  - 2. Disclaimers limiting the education district's liability relative to:
    - a. Information stored on education district diskettes, hard drives, or servers.
    - b. Information retrieved through education district computers, networks, or online resources.
    - c. Personal property used to access education district computers, networks, or online resources.
    - d. Unauthorized financial obligations resulting from use of education district resources/accounts to access the Internet.
  - 3. A description of the privacy rights and limitations of education district sponsored/managed Internet accounts.
  - 4. Notification that, even though the education district may use technical means to limit student Internet access, these limits do not provide a foolproof means for enforcing the provisions of this acceptable use policy.
  - 5. Notification that goods and services can be purchased over the Internet that could potentially result in unwanted financial obligations and that any financial obligation incurred by a student through the Internet is the sole responsibility of the student and/or the student's parents.
  - 6. Notification that the collection, creation, reception, maintenance, and dissemination of data via the Internet, including electronic communications, is governed by Policy 406, Public and Private Personnel Data, and Policy 515, Protection and Privacy of Pupil Records.
  - 7. Notification that, should the user violate the education district's acceptable use policy, the user's access privileges may be revoked, school disciplinary action may be taken and/or appropriate legal action may be taken.
  - 8. Notification that all provisions of the acceptable use policy are subordinate to local, state, and federal laws.

## **XII. PARENTS' RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE**

- A. Outside of school, parents bear responsibility for the same guidance of Internet use as they exercise with information sources such as television, telephones, radio, movies, and other possibly offensive media. Parents are responsible for monitoring their student's use of the education district system and of the Internet if the student is accessing the education district system from home or a remote location.
- B. Parents will be notified that their students will be using education district resources/accounts to access the Internet and that the education district will provide parents the option to request alternative activities not requiring Internet access. This notification should include:
  - 1. A copy of the user notification form provided to the student user.
  - 2. A description of parent/guardian responsibilities.
  - 3. A notification that the parents have the option to request alternative educational activities not requiring Internet access and the material to exercise this option.
  - 4. A statement that the Internet Use Agreement must be signed by the user, the parent or guardian, and the supervising teacher prior to use by the student.
  - 5. A statement that the education district's acceptable use policy is available for parental review.

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## **XIII. IMPLEMENTATION; POLICY REVIEW**

- A. The education district administration may develop appropriate user notification forms, guidelines, and procedures necessary to implement this policy for submission to the education district board for approval. Upon approval by the education district board, such guidelines, forms, and procedures shall be an addendum to this policy.
- B. The administration shall revise the user notifications, including student and parent notifications, if necessary, to reflect the adoption of these guidelines and procedures.
- C. The education district Internet policies and procedures are available for review by all parents, guardians, staff, and members of the community.
- D. Because of the rapid changes in the development of the Internet, the education district board shall conduct an annual review of this policy.

**Legal References:** 15 U.S.C. § 6501 *et seq.* (Children's Online Privacy Protection Act)  
17 U.S.C. § 101 *et seq.* (Copyrights)

47 U.S.C. § 254 (Children’s Internet Protection Act of 2000 (CIPA))  
 47 C.F.R. § 54.520 (FCC rules implementing CIPA)  
 Minn. Stat. § 121A.031 (School Student Bullying Policy)  
 Minn. Stat. § 125B.15 (Internet Access for Students)  
 Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)  
*Tinker v. Des Moines Indep. Cmty. Sch. Dist.*, 393 U.S. 503, 89 S.Ct. 733,  
 21 L.Ed.2d 731 (1969)  
*United States v. Amer. Library Assoc.*, 539 U.S. 194, 123 S.Ct. 2297, 56  
 L.Ed.2d 221 (2003)  
*Doninger v. Niehoff*, 527 F.3d 41 (2<sup>nd</sup> Cir. 2008)  
*R.S. v. Minnewaska Area Sch. Dist. No. 2149*, No. 12-588, 2012 WL  
 3870868 (D. Minn. 2012)  
*Tatro v. Univ. of Minnesota*, 800 N.W.2d 811 (Minn. App. 2011), aff’d on  
 other grounds 816 N.W.2d 509 (Minn. 2012)  
*S.J.W. v. Lee’s Summit R-7 Sch. Dist.*, 696 F.3d 771 (8<sup>th</sup> Cir. 2012)  
*Kowalski v. Berkeley County Sch.*, 652 F.3d 565 (4<sup>th</sup> Cir. 2011)  
*Layshock v. Hermitage Sch. Dist.*, 650 F.3d 205 (3<sup>rd</sup> Cir. 2011)  
*Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-  
 III Sch. Dist.*, 853 F.Supp.2d 888 (W.D. Mo. 2012)  
*M.T. v. Cent. York Sch. Dist.*, 937 A.2d 538 (Pa. Commw. Ct. 2007)

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***Cross References:***

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of  
 School District Employees)  
 MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
 MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored  
 Materials on School Premises by Students and Employees)  
 MSBA/MASA Model Policy 506 (Student Discipline)  
 MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)  
 MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
 MSBA/MASA Model Policy 519 (Interviews of Students by Outside  
 Agencies)  
 MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)  
 MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)  
 MSBA/MASA Model Policy 603 (Curriculum Development)  
 MSBA/MASA Model Policy 604 (Instructional Curriculum)  
 MSBA/MASA Model Policy 606 (Textbooks and Instructional Materials)  
 MSBA/MASA Model Policy 806 (Crisis Management Policy)  
 MSBA/MASA Model Policy 904 (Distribution of Materials on School  
 District Property by Nonschool Persons)



# GOODHUE COUNTY EDUCATION DISTRICT #6051

395 Guernsey Lane, Red Wing, MN 55066 • Phone 651.388.4441 • Fax 651.388.9557

Member Districts: Cannon Falls #252 • Goodhue #253 • Kenyon-Wanamingo #2172 • Lake City #813 • Red Wing #256 • Zumbrota-Mazeppa #2805

## INTERNET USE AGREEMENT - STUDENT

### STUDENT

I have read and do understand the education district policies relating to safety and acceptable use of the education district computer system and the Internet and agree to abide by them. I further understand that should I commit any violation, my access privileges may be revoked, school disciplinary action may be taken, and/or appropriate legal action may be taken.

User's Full Name (please print): \_\_\_\_\_

User Signature: \_\_\_\_\_

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Date: \_\_\_\_\_

### PARENT OR GUARDIAN

As the parent or guardian of this student, I have read the education district policies relating to safety and acceptable use of the education district computer system and the Internet. I understand that this access is designed for educational purposes. The education district has taken precautions to eliminate controversial material. However, I also recognize it is impossible for the education district to restrict access to all controversial materials and I will not hold the education district or its employees or agents responsible for materials acquired on the Internet. Further, I accept full responsibility for supervision if and when my child's use is not in a school setting. I hereby give permission to issue an account for my child and certify that the information contained on this form is correct.

Parent or Guardian's Name (please print): \_\_\_\_\_

Parent or Guardian's Signature: \_\_\_\_\_

### SUPERVISING TEACHER

(Must be signed if applicant is a student)

I have read the education district policies relating to safety and acceptable use of the education district computer system and the Internet and agree to promote these policies with the student. Because the student may use the Internet on the education district computer system for individual work or in the context of another class, I cannot be held responsible for the student's use of the Internet on network. As the supervising teacher I do agree to instruct the student on acceptable use of the Internet and network and proper network etiquette.

Teacher's Name (please print): \_\_\_\_\_

Teacher's Signature: \_\_\_\_\_

Adopted: 4/28/05

MSBA/MASA Model Policy 531

Orig. 2003

Revised: 10/29/09

Rev. 2003

## 531 THE PLEDGE OF ALLEGIANCE

*[Note: Recitation of the Pledge of Allegiance by students and instruction of students as provided in this policy are required by statute. Also, the statement in Part III., below, must be included in the student handbook or a policy guide. A local school board or a charter school board of directors may waive these statutory requirements by a majority vote taken annually. If the local school board or charter school board of directors waives the requirement to recite the Pledge of Allegiance, it may adopt a district or school policy regarding the reciting of the Pledge of Allegiance.]*

### I. PURPOSE

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The ~~school~~-education district board recognizes the need to display an appropriate United States flag and to provide instruction to students in the proper etiquette, display, and respect of the flag. The purpose of this policy is to provide for recitation of the Pledge of Allegiance and instruction in school to help further that end.

### II. GENERAL STATEMENT OF POLICY

Students in this ~~school~~-district shall recite the Pledge of Allegiance to the flag of the United States of America one or more times each week. The recitation shall be conducted:

- A. By each individual classroom teacher or the teacher's surrogate; or
- B. Over a school intercom system by a person designated by the school principal or other person having administrative control over the school.

### III. EXCEPTIONS

Anyone who does not wish to participate in reciting the Pledge of Allegiance for any personal reasons may elect not to do so. Students and school personnel must respect another person's right to make that choice.

### IV. INSTRUCTION

Students will be instructed in the proper etiquette toward, correct display of, and respect for the flag, and in patriotic exercises.

***Legal References:*** Minn. Stat. § 121A.11, Subd. 3 (Pledge of Allegiance)  
Minn. Stat. § 121A.11, Subd. 4 (Instruction)

***Cross References:***

## 806 CRISIS MANAGEMENT POLICY

*[Note: The Commissioner of Education is required to maintain and make available to education district boards and charter schools a Model Crisis Management Policy. See Minn. Stat. § 121A.035. Education district boards and charter schools must adopt a Crisis Management Policy to address potential crisis situations in their education districts or charter schools. Id. This Model Crisis Management Policy was originally the result of a collaborative effort between the Minnesota Department of Education, Division of Compliance and Assistance; the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management; and the Minnesota School Boards Association.]*

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### I. PURPOSE

The purpose of this Model Crisis Management Policy is to act as a guide for education district and building administrators, education district employees, students, education district board members, and community members to address a wide range of potential crisis situations in the education district. For purposes of this Policy, the term, “education districts,” shall include charter schools. The step-by-step procedures suggested by this Policy will provide guidance to each education district building in drafting crisis management plans to coordinate protective actions prior to, during, and after any type of emergency or potential crisis situation. Each education district should develop tailored building-specific crisis management plans for each education district building in the education district, and sections or procedures may be added or deleted in those crisis management plans based on building needs.

The education district will, to the extent possible, engage in ongoing emergency planning within the education district and with emergency responders and other relevant community organizations. The education district will ensure that relevant emergency responders in the community have access to their building-specific crisis management plans and will provide training to education district staff to enable them to act appropriately in the event of a crisis.

### II. GENERAL INFORMATION

#### A. The Policy and Plans

The education district’s Crisis Management Policy has been created in consultation with local community response agencies and other appropriate individuals and groups that would likely be involved in the event of a school emergency. It is designed so that each building administrator can tailor a building-specific crisis management plan to meet that building’s specific situation and needs.

The education district’s administration and/or the administration of each building

shall present tailored building-specific crisis management plans to the education district board for review and approval. The building-specific crisis management plans will include general crisis procedures and crisis-specific procedures. Upon approval by the education district board, such crisis management plans shall be an addendum to this Crisis Management Policy. This Policy and the plans will be maintained and updated on an annual basis.

B. Elements of the District Crisis Management Policy

1. General Crisis Procedures. The Crisis Management Policy includes general crisis procedures for securing buildings, classroom evacuation, building evacuation, campus evacuation, and sheltering. The Policy designates the individual(s) who will determine when these actions will be taken. These district-wide procedures may be modified by building administrators when creating their building-specific crisis management plans. A communication system will be in place to enable the designated individual to be contacted at all times in the event of a potential crisis, setting forth the method to contact the designated individual, the provision of at least two designees when the contact person is unavailable, and the method to convey contact information to the appropriate staff persons. The alternative designees may include members of the emergency first responder response team. A secondary method of communication should be included in the plan for use when the primary method of communication is inoperable. Each building in the education district will have access to a copy of the Comprehensive School Safety Guide (2011 Edition) to assist in the development of building-specific crisis management plans.

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All general crisis procedures will address specific procedures for the safe evacuation of children and employees with special needs such as physical, sensory, motor, developmental, and mental health challenges.

***[Note: More specific information on planning for children with special needs can be found in the Comprehensive School Safety Guide (2011 Edition) and United States Department of Education’s document entitled, “Practical Information on Crisis Planning, a Guide for Schools and Communities.” A website link is provided in the resource section of this Policy.]***

- a. Lock-Down Procedures. Lock-down procedures will be used in situations where harm may result to persons inside the education district building, such as a shooting, hostage incident, intruder, trespass, disturbance, or when determined to be necessary by the building administrator or his or her designee. The building administrator or designee will announce the lock-down over the public address system or other designated system. Code words will not be used. Provisions for emergency evacuation will be maintained even in the event of a lock-down. Each building administrator will submit lock-down procedures for their building

as part of the building-specific crisis management plan.

***[Note: State law requires a minimum of five school lock-down drills each school year. See Minn. Stat. § 121A.035.]***

- b. Evacuation Procedures. Evacuations of classrooms and buildings shall be implemented at the discretion of the building administrator or his or her designee. Each building's crisis management plan will include procedures for transporting students and staff a safe distance from harm to a designated safe area until released by the building administrator or designee. Safe areas may change based upon the specific emergency situation. The evacuation procedures should include specific procedures for children with special needs, including children with limited mobility (wheelchairs, braces, crutches, etc.), visual impairments, hearing impairments, and other sensory, developmental, or mental health needs. The evacuation procedures should also address transporting necessary medications for students that take medications during the school day.

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***[Note: State law requires a minimum of five school fire drills, consistent with Minn. Stat. § 299F.30, and one school tornado drill each school year. See Minn. Stat. § 121A.035.]***

- c. Sheltering Procedures. Sheltering provides refuge for students, staff, and visitors within the education district building during an emergency. Shelters are safe areas that maximize the safety of inhabitants. Safe areas may change based upon the specific emergency. The building administrator or his or her designee will announce the need for sheltering over the public address system or other designated system. Each building administrator will submit sheltering procedures for his or her building as part of the building-specific crisis management plan.

***[Note: The Comprehensive School Safety Guide (2011 Edition) has sample lock-down procedures, evacuation procedures, and sheltering procedures.]***

2. Crisis-Specific Procedures. The Crisis Management Policy includes crisis-specific procedures for crisis situations that may occur during the school day or at education district-sponsored events and functions. These district-wide procedures are designed to enable building administrators to tailor response procedures when creating building-specific crisis management plans.

***[Note: The Comprehensive School Safety Guide (2011 Edition) includes crisis-specific procedures.]***

3. Education district Emergency Response Teams

- a. Composition. The building administrator in each education district building will select a education district emergency response team that will be trained to respond to emergency situations. All education district emergency response team members will receive on-going training to carry out the building's crisis management plans and will have knowledge of procedures, evacuation routes, and safe areas. For purposes of student safety and accountability, to the extent possible, education district emergency response team members will not have direct responsibility for the supervision of students. Team members must be willing to be actively involved in the resolution of crises and be available to assist in any crisis situation as deemed necessary by the building administrator. Each building will maintain a current list of education district emergency response team members which will be updated annually. The building administrator, and his or her alternative designees, will know the location of that list in the event of a education district emergency. A copy of the list will be kept on file in the education district office, or in a secondary location in single building education districts.

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*[Note: The Comprehensive School Safety Guide (2011 Edition) has a sample School Emergency Response Team list.]*

- b. Leaders. The building administrator or his or her designee will serve as the leader of the education district emergency response team and will be the primary contact for emergency response officials. In the event the primary designee is unavailable, the designee list should include more than one alternative designee and may include members of the emergency response team. When emergency response officials are present, they may elect to take command and control of the crisis. It is critical in this situation that education district officials assume a resource role and be available as necessary to emergency response officials.

### III. PREPARATION BEFORE AN EMERGENCY

#### A. Communication

1. District Employees. Teachers generally have the most direct contact with students on a day-to-day basis. As a result, they must be aware of their role in responding to crisis situations. This also applies to non-teaching education district personnel who have direct contact with students. All staff shall be aware of the education district's Crisis Management Policy and their own building's crisis management plan. Each education district's building-specific crisis management plan shall include the method and dates of dissemination of the plan to its staff. Employees will receive a copy of the relevant building-specific crisis management plans and shall receive

periodic training on plan implementation.

2. Students and Parents. Students and parents shall be made aware of the education district's Crisis Management Policy and relevant tailored crisis management plans for each education district building. Each education district's building-specific crisis management plan shall set forth how students and parents are made aware of the district and education district-specific plans. Students shall receive specific instruction on plan implementation and shall participate in a required number of drills and practice sessions throughout the school year.

B. Planning and Preparing for Fire

1. Designate a safe area at least 50 feet away from the building to enable students and staff to evacuate. The safe area should not interfere with emergency responders or responding vehicles and should not be in an area where evacuated persons are exposed to any products of combustion. (Depending on the wind direction, where the building on fire is located, the direction from which the fire is arriving, and the location of fire equipment, the distance may need to be extended.)

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***[Note: Evacuation areas at least 50 feet from education district buildings are recommended but not mandated by statute or rule. Evacuation areas should be selected based on safety and the individual education district site's proximity to streets, traffic patterns, and other hazards.]***

2. Each building's facility diagram and site plan shall be available in appropriate areas of the building and shall identify the most direct evacuation routes to the designated safe areas both inside and outside of the building. The facility diagram and site plan must identify the location of the fire alarm control panel, fire alarms, fire extinguishers, hoses, water spigots, and utility shut offs.
3. Teachers and staff will receive training on the location of the primary emergency evacuation routes and alternate routes from various points in the building. During fire drills, students and staff will practice evacuations using primary evacuation routes and alternate routes.
4. Certain employees, such as those who work in hazardous areas in the building, will receive training on the locations and proper use of fire extinguishers and protective clothing and equipment.
5. Fire drills will be conducted periodically without warning at various times of the day and under different circumstances, e.g., lunchtime, recess, and during assemblies. State law requires a minimum of five fire drills each school year, consistent with Minn. Stat. § 299F.30. See Minn. Stat. § 121A.035.

*[Note: The State Fire Marshal advises education districts to defer fire drills during the winter months.]*

6. A record of fire drills conducted at the building will be maintained in the building administrator's office.

*[Note: The Comprehensive School Safety Guide (2011 Edition), under the Preparedness/Planning section, has a sample fire drills schedule and log.]*

7. The education district will have prearranged sites for emergency sheltering and transportation as needed.
8. The education district will determine which staff will remain in the building to perform essential functions if safe to do so (e.g., switchboard, building engineer, etc.). The education district also will designate an administrator or his or her designee to meet local fire or law enforcement agents upon their arrival.

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*[Note: The Comprehensive School Safety Guide (2011 Edition), under the Response section, has a sample fire procedure form, evacuation/relocation and student reunification/release procedures, and planning for student reunification.]*

C. Facility Diagrams and Site Plans

All education district buildings will have a facility diagram and site plan that includes the location of primary and secondary evacuation routes, exits, designated safe areas inside and outside of the building, and the location of fire alarm control panel, fire alarms, fire extinguishers, hoses, water spigots, and utility shut offs. All facility diagrams and site plans will be updated regularly and whenever a major change is made to a building. Facility diagrams and site plans will be maintained by the building administrator and will be easily accessible and on file in the education district office. Facility diagrams and site plans will be provided to first responders, such as fire and law enforcement personnel.

*[Note: For single building education districts, such as charter schools, a secondary location for the diagrams and site plans will be included in the district's Crisis Management Policy and may include filing documents with a charter school sponsor, or compiling facility diagrams and site plans on a CD-Rom and distributing copies to first responders or sharing the documents with first responders during the crisis planning process.]*

*[Note: To the extent data contained in facility diagrams and site plans constitute security information pursuant to Minn. Stat. § 13.37, education districts are advised to consult with appropriate officials and/or legal counsel prior to dissemination of the facility diagrams or site plans to anyone other than first responders.]*

D. Emergency Telephone Numbers

Each building will maintain a current list of emergency telephone numbers and the names and addresses of local, county, and state personnel who may be involved in a crisis situation. The list will include telephone numbers for local police, fire, ambulance, hospital, the Poison Control Center, county and state emergency management agencies, local public works departments, local utility companies, the public health nurse, mental health/suicide hotlines, and the county welfare agency. A copy of this list will be kept on file in the education district office, or at a secondary location for single building education districts, and updated annually.

Education district employees will receive training on how to make emergency contacts, including 911 calls, when the education district's main telephone number and location is electronically conveyed to emergency personnel instead of the specific building in need of emergency services.

Education district plans will set forth a process to internally communicate an emergency, using telephones in classrooms, intercom systems, or two-way radios, as well as the procedure to enable the staff to rapidly convey emergency information to a building designee. Each plan will identify a primary and secondary method of communication for both internal and secondary use. It is recommended that the plan include several methods of communication because computers, intercoms, telephones, and cell phones may not be operational or may be dangerous to use during an emergency.

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***[Note: The Comprehensive School Safety Guide (2011 Edition), under the Preparedness/Planning section, has a sample Emergency Phone Numbers list.]***

E. Warning and Notification Systems

The education district shall maintain a warning system designed to inform students, staff, and visitors of a crisis or emergency. This system shall be maintained on a regular basis under the maintenance plan for all education district buildings. The education district should consider an alternate notification system to address the needs of staff and students with special needs, such as vision or hearing.

The building administrator shall be responsible for informing students and employees of the warning system and the means by which the system is used to identify a specific crisis or emergency situation. Each education district's building-specific crisis management plan will include the method and frequency of dissemination of the warning system information to students and employees.

F. Early School Closure Procedures

The executive director will make decisions about closing school or buildings as early in the day as possible. The early school closure procedures will set forth the criteria for early school closure (e.g., weather-related, utility failure, or a crisis situation), will specify how closure decisions will be communicated to staff,

students, families, and the education district community (designated broadcast media, local authorities, e-mail, or district or education district building web sites), and will discuss the factors to be considered in closing and reopening a education district or building.

Early school closure procedures also will include a reminder to parents and guardians to listen to designated local radio and TV stations for school closing announcements, where possible.

***[Note: The Comprehensive School Safety Guide (2011 Edition), under the Response section, provides universal procedures for severe weather shelter.]***

G. Media Procedures

The executive director has the authority and discretion to notify parents or guardians and the education district community in the event of a crisis or early education district closure. The executive director will designate a spokesperson who will notify the media in the event of a crisis or early education district closure. The spokesperson shall receive training to ensure that the district is in strict compliance with federal and state law relative to the release of private data when conveying information to the media.

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***[Note: The Comprehensive School Safety Guide (2011 Edition), under the Response section, has a sample Media Procedures form.]***

H. Behavioral Health Crisis Intervention Procedures

Short-term behavioral health crisis intervention procedures will set forth the procedure for initiating behavioral health crisis intervention plans. The procedures will utilize available resources including the school psychologist, counselor, community behavioral health crisis intervention, or others in the community. Counseling procedures will be used whenever the executive director or the building administrator determines it to be necessary, such as after an assault, a hostage situation, shooting, or suicide. The behavioral health crisis intervention procedures shall include the following steps:

1. Administrator will meet with relevant persons, including school psychologists and counselors, to determine the level of intervention needed for students and staff.
2. Designate specific rooms as private counseling areas.
3. Escort siblings and close friends of any victims as well as others in need of emotional support to the counseling areas.
4. Prohibit media from interviewing or questioning students or staff.
5. Provide follow-up services to students and staff who receive counseling.

6. Resume normal school routines as soon as possible.

I. Long-Term Recovery Intervention Procedures

Long-term recovery intervention procedures may involve both short-term and long-term recovery planning:

1. Physical/structural recovery.
2. Fiscal recovery.
3. Academic recovery.
4. Social/emotional recovery.

*[Note: The Comprehensive School Safety Guide (2011 Edition), under the Recovery section, addresses the recovery components in more detail.]* 181

**IV. SAMPLE PROCEDURES INCLUDED IN THIS POLICY**

Sample procedures for the various hazards/emergencies listed below are attached to this Policy for use when drafting specific crisis management plans. Additional sample procedures may be found in the Response section of the Comprehensive School Safety Guide (2011 Edition). After approval by the education district board, an adopted procedure will become an addendum to the Crisis Management Policy.

- A. Fire
- B. Hazardous Materials
- C. Severe Weather: Tornado/Severe Thunderstorm/Flooding
- D. Medical Emergency
- E. Fight/Disturbance
- F. Assault
- G. Intruder
- H. Weapons
- I. Shooting
- J. Hostage
- K. Bomb Threat

- L. Chemical or Biological Threat
- M. Checklist for Telephone Threats
- N. Demonstration
- O. Suicide
- P. Lock-down Procedures
- Q. Shelter-In-Place Procedures
- R. Evacuation/Relocation
- S. Media Procedures
- T. Post-Crisis Procedures
- U. Education district Emergency Response Team
- V. Emergency Phone Numbers
- W. Highly Contagious Serious Illness or Pandemic Flu

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## V. MISCELLANEOUS PROCEDURES

### A. Chemical Accidents

Procedures for reporting chemical accidents shall be posted at key locations such as chemistry labs, art rooms, swimming pool areas, and janitorial closets.

*[Note: Education district buildings must maintain Material Safety Data Sheets (M.S.D.S.) for all chemicals on campus. State law, federal law, and OSHA require that pertinent staff have access to M.S.D.S. in the event of a chemical accident.]*

### B. Visitors

The education district shall implement procedures mandating visitor sign in and visitors in education district buildings. See MSBA/MASA Model Policy 903 (Visitors to Education district Buildings and Sites).

The education district shall implement procedures to minimize outside entry into education district buildings except at designated check-in points and assure that all doors are locked prior to and after regular building hours.

### C. Student Victims of Criminal Offenses at or on Education district Property

The education district shall establish procedures allowing student victims of criminal offenses on education district property the opportunity to transfer to another school within the education district.

***[Note: The Every Student Succeeds Act, 20 U.S.C. § 6301, et seq.; Title IX, 20 U.S.C. § 1681, et seq.; and the Unsafe School Choice Option, 20 U.S.C. § 7912, require education districts to establish such transfer procedures.]***

D. Radiological Emergencies at Nuclear Generating Plants [OPTIONAL]

Education districts within a 10 mile radius of the Monticello or Prairie Island nuclear power plants will implement crisis plans in the event of an accident or incident at the power plant.

Questions relative to the creation or implementation of such plans will be directed to the Minnesota Department of Public Safety.

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***Legal References:*** Minn. Stat. Ch. 12 (Emergency Management)  
Minn. Stat. Ch. 12A (Natural Disaster; State Assistance)  
Minn. Stat. § 121A.035 (Crisis Management Policy)  
Minn. Stat. § 121A.06 (Reports of Dangerous Weapon Incidents in School Zones)  
Minn. Stat. § 299F.30 (Fire Drill in School)  
Minn. Stat. § 326B.02, Subd. 6 (Powers)  
Minn. Stat. § 326B.106 (General Powers of Commissioner of Labor and Industry)  
Minn. Stat. § 609.605, Subd. 4 (Trespasses on School Property)  
Minn. Rules Ch. 7511 (Fire Safety)  
20 U.S.C. § 1681, et seq. (Title IX)  
20 U.S.C. § 6301, et seq. (Every Student Succeeds Act)  
20 U.S.C. § 7912 (Unsafe School Choice Option)  
42 U.S.C. § 5121 et seq. (Disaster Relief and Emergency Assistance)

***Cross References:*** MSBA/MASA Model Policy 407 (Employee Right to Know – Exposure to Hazardous Substances)  
MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 501 (School Weapons Policy)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 532 (Use of Peace Officers and Crisis Teams to Remove Students with IEPs from School Grounds)  
MSBA/MASA Model Policy 903 (Visitors to School District Buildings and Sites)  
<https://dps.mn.gov/divisions/sfm/documents/2011comprehensiveschoolsafetyguide.pdf>



# Goodhue County Education District Policy Work

The following are new policies for board consideration.

- 101.1 *Legal Name of the District*
- 202 *School Board Officers*
- 203 *Operation of the School Board - Governing Rules*
- 203.1 *School Board Procedures; Rules of Order*
- 203.2 *Order of the Regular School Board Meeting*
- 203.5 *School Board Meeting Agenda*
- 203.6 *Consent Agendas*
- 204 *School Board Meeting Minutes*
- 208 *Development, Adoption, and Implementation of Policies*
- 301 Education District Administration
- 302 Executive Director
- 305 Policy Implementation
- 525 Violence Prevention
- 535 Service Animals in Schools
- 535f Service Animals in Schools form

Adopted: 06/23/2021

MSBA/MASA Model Policy 101.1

Orig. 1998

Revised: \_\_\_\_\_

Rev. 1999

## 101.1 NAME OF THE SCHOOL-EDUCATION DISTRICT

### I. PURPOSE

The purpose of this policy is to clarify the name of the school-education district.

### II. GENERAL STATEMENT OF POLICY

Pursuant to statute, the official name of the school-education district is Independent School Goodhue County Education District No. 6051-01. However, the school-education district is often referred to by other informal names. In order to avoid confusion and to encourage consistency in school-education district letterheads, signage, publications and other materials, the school-education board intends to establish a uniform name for the school-education district.

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### III. UNIFORM NAME

- A. The name of the school-education district shall be the Goodhue County Education District.

*(Examples include: Benson; Triton; Cass Lake Bena; North Saint Paul Maplewood Oakdale; White Bear Lake Area Schools; Prior Lake/Savage Area Schools; West St. Paul Mendota Heights Eagan Area Schools; Northfield Public Schools; New Prague Community Schools; Stillwater Area Public Schools; Southwest Star Concept Schools; Jackson County Central School District.)*

- B. The name specified above may be used to refer to the school-education district and may be shown on school-education district letterheads, signage, publications and other materials.

- C. In official communications ~~and on school district ballots~~, the school-education district shall be referred to as ~~Independent School~~ the Goodhue County Education District No. 6051-61, but inadvertent failure to use the correct name shall not invalidate any legal proceeding or matter or affect the validity of any document.

**Legal References:** Minn. Stat. § 123A.55 (Classes, Number)

**Cross References:**

Adopted: 06/23/21

MSBA/MASA Model Policy 202

Orig. 1995

Revised: \_\_\_\_\_

Rev. 2011

## 202 ~~SCHOOL EDUCATION~~ DISTRICT BOARD OFFICERS

~~*[Note: The provisions of this policy substantially reflect statutory requirements.]*~~

### I. PURPOSE

~~School Education~~-district board officers are charged with the duty of carrying out the responsibilities entrusted to them for the care, management, and control of the public schools of the ~~school education~~-district. The purpose of this policy is to delineate those responsibilities.

### II. GENERAL STATEMENT OF POLICY

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- A. The ~~school education~~-district board shall meet annually and organize by selecting a chair, a clerk, a treasurer, and such other officers as determined by the ~~school education district~~ board. At its option, the ~~school education district~~-board may appoint a vice-chair to serve in the temporary absence of the chair.
- B. The ~~school education district~~ board shall appoint ~~a superintendent an executive director~~ who shall be an ex officio, nonvoting member of the ~~school education district~~ board.

### III. ORGANIZATION

The ~~school education district~~ board shall meet annually on the first Monday in January, or as soon thereafter as practicable, and organize by selecting a chair, a clerk, a treasurer, and such other officers as determined by the ~~school education district~~ board. These officers shall hold office for one year and until their successors are elected and qualify.

- A. The persons who perform the duties of clerk and treasurer need not be members of the ~~school education district~~ board.
- B. The ~~school education district~~ board by resolution may combine the duties of the offices of clerk and treasurer in a single person in the office of business affairs.

~~*[Note: The organizational meeting is a good time for the school board to plan for how to cancel and reschedule a board meeting. For example, the school board could decide and include in the regular meeting schedule a provision that if the school district closes early due to bad weather and calls off evening activities, any school board meeting scheduled for that evening will also be postponed and held at the same time and place the following evening.]*~~

~~*The organizational meeting is also a good time for the school board to select the school*~~

~~district's legal counsel and the individuals authorized to contact legal counsel. Usually, the authorized contacts are the board chair, the superintendent, and the chief business official of the school district. In addition, many school districts authorize their human resources director, or a person exercising similar duties, to contact legal counsel.~~

#### IV. OFFICER'S RESPONSIBILITIES

##### A. Chair

1. The chair when present shall preside at all meetings of the ~~school~~education district board, countersign all orders upon the treasurer for claims allowed by the ~~school~~education district board, represent the ~~school~~education-district in all actions, and perform all duties a chair usually performs.
2. In case of absence, inability, or refusal of the clerk to draw orders for the payment of money authorized by a vote of the majority of the ~~school~~education district board to be paid, the chair may draw the orders, or the office of the clerk may be declared vacant by the chair and treasurer and filled by appointment. 188

##### B. Treasurer

1. The treasurer or designee shall deposit the funds of the ~~school~~education district in the official depository.
2. The treasurer or designee shall make all reports which may be called for by the ~~school~~education district board and perform all duties a treasurer usually performs.
3. In the event there are insufficient funds on hand to pay valid orders presented to the treasurer, the treasurer shall receive, endorse, and process the orders in accordance with Minn. Stat. § 123B.12.

##### C. Clerk

1. The clerk or designee shall keep a record of all meetings in the books provided.
- ~~2. Within three days after an election, the clerk shall notify all persons elected of their election.~~
- ~~3.2.~~ 3.2. On or before September 15 of each year, the clerk shall verify that the board and the MDE has been provided the following:
  - a. ~~file with the school board~~ a report of the revenues, expenditures, and balances in each fund for the preceding fiscal year.

- b. ~~make and transmit to the commissioner~~ certified reports, showing:
  - (1) revenues and expenditures in detail, and such other financial information required by law, rule, or as may be called for by the commissioner;
  - (2) length of ~~school~~education district term and enrollment and attendance by grades; and
  - (3) other items of information as called for by the commissioner.

~~4.3.~~ The clerk shall ~~enter into the clerk's record book verify that the business manager has~~ copies of all reports and of the teachers' term reports, and of the proceedings of any meeting, and keep an itemized account of all expenses of the ~~school~~education district.

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~~5.~~ ~~The clerk shall furnish to the county auditor, on or before September 30 of each year, an attested copy of the clerk's record, showing the amount of proposed property tax voted by the school district or the school board for school purposes, or designee.~~

~~6.4.~~ The clerk shall draw and sign all orders upon the treasurer for the payment of money for bills allowed by the ~~school~~education district board for salaries of officers and for teachers' wages and all claims, to be countersigned by the chair.

~~7.~~ ~~The clerk shall perform such duties as required by the Minnesota Election Law or other applicable laws relating to the conduct of elections.~~

~~8.5.~~ The clerk shall perform the duties of the chair in the event of the chair's and the vice-chair's temporary absences.

D. Vice-Chair ~~[Optional]~~

The vice-chair shall perform the duties of the chair in the event of the chair's temporary absence.

E. Superintendent~~Executive Director~~

1. The ~~superintendent executive director~~ shall be an ex officio, nonvoting member of the ~~school~~education district board.

2. The ~~superintendent executive director~~ shall perform the following:

- a. visit and supervise the schools in the ~~school~~education district, report and make recommendations about their condition when

advisable or on request by the school education district board;

- b. recommend to the school education district board employment and dismissal of teachers;
- c. annually evaluate each school education district principal assigned responsibility for supervising a school education district building within the district;
- d. superintend school education district grading practices and examinations for promotions;
- e. make reports required by the commissioner; and
- f. perform other duties prescribed by the school education district board.

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***Legal References:*** Minn. Stat. § 123B.12 (Finance)  
Minn. Stat. § 123B.14 (Officers)  
Minn. Stat. § 123B.143 (Superintendent)  
Minn. Stat. § 126C.17 (Referendum Revenue)  
Minn. Stat. Ch. 205A (School District Elections)

***Cross References:*** MSBA/MASA Model Policy 101 (Legal Status of the School District)  
MSBA/MASA Model Policy 201 (Legal Status of the School Board)  
MSBA/MASA Model Policy 203 (Operation of the School Board – Governing Rules)  
MSBA Service Manual, Chapter 1, School District Governance, Powers and Duties

Adopted: 06/23/21

MSBA/MASA Model Policy 203

Orig. 1995

Revised: \_\_\_\_\_

Rev. 2009

## 203 OPERATION OF THE SCHOOL EDUCATION DISTRICT BOARD – GOVERNING RULES

### I. PURPOSE

The purpose of this policy is to provide governing rules for the conduct of meetings of the school education district board.

### II. GENERAL STATEMENT OF POLICY

An orderly school education district board meeting allows school education district board members to participate in discussion and decision of school education district district issues. Rules of order allow school education district board members the opportunity to review school education district-related topics, discuss school education district business items, and bring matters to conclusion in a timely and consistent manner.

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### III. RULES OF ORDER

Rules of order for school education district board meetings shall be as follows:

- A. Minnesota statutes where specified;
- B. Specific rules of order as provided by the school education district board consistent with Minnesota statutes; and
- C. *Robert's Rules of Order, Revised* (latest edition) where not inconsistent with A. and B., above.

***[Note: ~~The editions of Robert's Rules of Order differ, so specifying the edition used is important.~~***

**Legal References:** Minn. Stat. Ch. 13D (Open Meeting Law)  
Minn. Stat. § 123B.09, Subds. 6, 7, and 10 (School Board Matters)  
Minn. Stat. § 123B.14 (Officers)

**Cross References:**

Adopted: 06/23/21

MSBA/MASA Model Policy 203.1

Orig. 1997

Revised: \_\_\_\_\_

Rev. 1999

## 203.1 **SCHOOL EDUCATION DISTRICT BOARD PROCEDURES; RULES OF ORDER**

### I. PURPOSE

The purpose of this policy is to provide specific rules of order to conduct meetings of the school education district board.

### II. GENERAL STATEMENT OF POLICY

To ensure that school education district board meetings are conducted in an orderly fashion, the school education district board will follow rules of order which will allow the school education district board:

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- A. To establish guidelines by which the business of the school education district board can be conducted in a regular and internally consistent manner;
- B. To organize the meetings so all necessary matters can be brought to the school education district board and decisions of the school education district board can be made in an orderly and reasonable manner;
- C. To insure that members of the school education district board have the necessary information to make decisions on substantive issues and to insure adequate discussion of decisions to be made; and
- D. To insure that meetings and actions of the school education district board are conducted so as to be informative to the staff and the public, and to produce a clear record of actions taken and decisions made.

### III. RULES OF ORDER

- A. School Education district board members need not rise to gain the recognition of the chair.
- B. A motion will be adopted or carried if it receives the affirmative votes of a majority of those actually voting on the matter. Abstentions are considered to be acquiescence to the vote of the majority. It should be noted that some motions by statute or Robert's Rules of Order require larger numbers of affirmative votes.
- C. All motions that require a second shall receive a second prior to opening the issue for discussion of the school education district board. If a motion that requires a second does not receive a second, the chair may declare that the motion fails for lack of a second or may provide the second. The names of the members making

and seconding a motion shall be recorded in the minutes.

- D. The chair shall decide the order in which school education district board members will be recognized to address an issue. An attempt should be made to alternate between pro and con positions if appropriate to the discussion. A member shall only speak to an issue after the member is recognized by the chair.
- E. The chair shall rule on all questions relating to motions and points of order brought before the school education district board.
- F. A ruling by the chair is subject to appeal to the full school education district board pursuant to Robert's Rules of Order.
- G. The school education district board shall have authority to recognize any member of the audience regarding a request to be heard at the school education district board meeting. Members of the public who wish to be heard shall follow school education district board procedures.
- H. The chair has the authority to declare a recess at any time for the purpose of restoring decorum to the meeting or for any other necessary purpose.
- I. The chair shall repeat a motion or the substance of a motion prior to the vote. The chair shall call for an affirmative and a negative vote on all motions.
- J. The order in which names will be called for roll call votes will be determined by the school education district board.
- ~~[Note: The school board may choose to include in the policy a method of calling the roll.]~~*
- K. The chair has the same right and responsibility as each school education district board member to vote on all issues.
- L. The chair shall announce the result of each vote. The vote of each member, including abstentions, shall be recorded in the minutes. If the vote is unanimous, it may be reflected as unanimous in the minutes if the minutes also reflect the members present.
- M. A majority of the voting members of the school education district board constitute a quorum. The absence of a quorum may be raised by the chair or any member. Generally any action taken in the absence of a quorum is null and void. The only legal actions the school education district board may take in the absence of a quorum are to fix the time at which to adjourn, to adjourn, to recess or to take measures to obtain a quorum.

*~~[Note: In addition, school boards may have other rules or local customs they wish to incorporate to reflect their normal processes and procedures.]~~*

**Legal References:** Minn. Stat. § 13D.01, Subd. 4 (Open Meeting Law)  
Minn. Stat. § 122A.40 (Employment Contracts, Termination)  
Minn. Stat. § 123B.09, Subds. 6 and 7 (School Board Powers)  
Minn. Stat. § 126C.53 (Enabling Resolution; Form of Certificates of Indebtedness)  
Minn. Stat. § 331A.01, Subd. 6 (Newspapers; Definitions)  
Minn. Stat. § 331A.04, Subd. 6 (Newspapers; Exception to Designation Priority)  
Minn. Stat. § 471.88 (Exceptions)

**Cross References:** MSBA/MASA Model Policy 203 (Operation of the School Board – Governing Rules)  
MSBA/MASA Model Policy 204 (School Board Meeting Minutes)  
MSBA/MASA Model Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)  
MSBA/MASA Model Policy 207 (Public Hearings)

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Adopted: 06/23/21

MSBA/MASA Model Policy 203.2

Orig. 1997

Revised: \_\_\_\_\_

Rev. 2007

## 203.2 ORDER OF THE REGULAR ~~SCHOOL~~EDUCATION DISTRICT BOARD MEETING

### I. PURPOSE

The purpose of this policy is to ensure consistency in the order of business at regular ~~school~~education district board meetings.

### II. GENERAL STATEMENT OF POLICY

It is the policy of the ~~school~~education district board to consider matters that come before it in a consistent and orderly manner. 195

### III. ORDER

A. The ~~school~~education district board shall conduct an orderly ~~school~~education district board meeting. The ~~school~~education district board will, at all regular ~~school~~education district board meetings, follow an agenda order similar to:

1. Call to order.
2. Approval of agenda.
3. ~~Recognition of visitors.~~Consent agenda.
4. Approval of prior meeting minutes.
5. ~~Consent agenda.~~Presentation of bills for payment.
6. ~~Presentation of additional bills for payment.~~Staff actions.
7. ~~Reports.~~Public Input.
8. ~~Written communications.~~Reports.
9. ~~Superintendent's announcements.~~Old Business.
10. ~~Other old or unfinished business.~~New Business.
11. ~~New business.~~Executive Director announcements.
12. Adjournment.

~~*[Note: The school board should incorporate its preferred order of business into this policy.]*~~

- B. Items in this order may be considered as part of a consent agenda.
- C. The school education district board may depart from the order of business with the consent of the majority of members present.

**Legal References:** Minn. Stat. § 123B.09, Subd. 7 (School Board Powers)

**Cross References:** MSBA/MASA Model Policy 203 (Operation of the School Board – Governing Rules)  
MSBA/MASA Model Policy 203.5 (School Board Meeting Agenda)  
MSBA/MASA Model Policy 203.6 (Consent Agendas)

Adopted: 06/23/21

MSBA/MASA Model Policy 203.5

Orig. 1997

Revised: \_\_\_\_\_

Rev. 2012

## 203.5 ~~SCHOOL~~EDUCATION DISTRICT BOARD MEETING AGENDA

### I. PURPOSE

The purpose of this policy is to provide procedures for the preparation of the ~~school~~education district board meeting agenda to ensure that the ~~school~~education district board can accomplish its business as efficiently and expeditiously as possible.

### II. GENERAL STATEMENT OF POLICY

The policy of the ~~school~~education district board is that ~~school~~education district board meetings shall be conducted in a manner to allow the ~~school~~education district board to accomplish its business while allowing reasoned debate and discussion of each matter to be acted upon.

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### III. PROCEDURES

A. While all ~~school~~education district board members may provide input, it shall be the responsibility of the ~~school~~education district board chair and ~~superintendent executive director~~ to develop, prepare, and arrange the order of items for the tentative ~~school~~education district board meeting agenda for each ~~school~~education district board meeting.

B. Persons wishing to place an item on the agenda must make a request to the ~~school~~education district board chair or ~~superintendent-executive director~~ in a timely manner. The person making the request is encouraged to state the person's name, address, purpose of the item, action desired, and pertinent background information. The chair and ~~superintendent-executive director~~ shall determine whether to place the matter on the tentative agenda.

~~*[Note: The Commissioner of Administration has issued an opinion that a government entity is limited to acting only on those matters specifically included in the notice of a special meeting.]*~~

C. The tentative agenda and supporting documents shall be sent to the ~~school~~education district board members five (5) days prior to the scheduled ~~school~~education district board meeting.

D. Items may only be added to the agenda by a motion adopted at the meeting. If an added item is acted upon, the minutes of the ~~school~~education district board meeting shall include a description of the matter.

- E. At least one copy of any printed materials, including electronic communications, relating to the agenda items of the meeting prepared or distributed by or at the direction of the school education district board or its employees and: (i) distributed at the meeting to all members of the governing body; (ii) distributed before the meeting to all members; or (iii) available in the meeting room to all members shall be available in the meeting room for inspection by the public while the school education district board considers their subject matter. This does not apply to materials classified by law as other than public or to materials relating to the agenda items of a closed meeting.

**Legal References:** Minn. Stat. § 13D.01, Subd. 6 (Open Meeting Law)  
Minn. Stat. § 123B.09, Subd. 7 (School Board Powers)  
Dept. of Admin. Advisory Op. No. 10-013 (April 29, 2010)  
Dept. of Admin. Advisory Op. No. 08-015 (July 9, 2008)

**Cross References:** MSBA/MASA Model Policy 203 (Operation of the School Board – 198  
Governing Rules)  
MSBA/MASA Model Policy 203.2 (Order of the Regular School Board  
Meeting)  
MSBA/MASA Model Policy 203.6 (Consent Agendas)  
MSBA/MASA Model Policy 204 (School Board Meeting Minutes)  
MSBA/MASA Model Policy 207 (Public Hearings)

Adopted: 06/23/21

MSBA/MASA Model Policy 203.6

Orig. 1997

Revised: \_\_\_\_\_

Rev. 1999

## 203.6 CONSENT AGENDAS

### I. PURPOSE

The purpose of this policy is to allow the use of a consent agenda.

### II. GENERAL STATEMENT OF POLICY

In order for a more efficient administration of sehoeducation district board meetings, the sehoeducation district board may elect to use a consent agenda for the passage of noncontroversial items or items of a similar nature.

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### III. CONSENT AGENDAS

- A. The superintendentexecutive director, in consultation with the sehoeducation district board chair, may place items on the consent agenda. By using a consent agenda, the sehoeducation district board has consented to the consideration of certain items as a group under one motion. Should a consent agenda be used, an appropriate amount of discussion time will be allowed to review any item upon request.
- B. Consent items are those which usually do not require discussion or explanation prior to sehoeducation district board action, are noncontroversial and/or similar in content, or are those items which have already been discussed and/or explained and do not require further discussion or explanation. Such agenda items might include ministerial tasks such as, but not limited to, the approval of the agenda, approval of previous minutes, approval of bills, approval of reports, etc. These items might also include similar groups of decisions such as, but not limited to, approval of staff contracts, approval of maintenance details for the sehoeducation district district buildings and grounds or approval of various schedules.
- C. Items shall be removed from the consent agenda by a timely request by an individual sehoeducation district board member for independent consideration. A request is timely if made prior to the vote on the consent agenda. The request does not require a second or a vote by the sehoeducation district board. An item removed from the consent agenda will then be discussed and acted on separately immediately following the consideration of the consent agenda.
- D. Consent agenda items are approved en masse by one vote of the sehoeducation district board. The consent agenda items shall be separately recorded in the minutes.

***Legal References:*** Minn. Stat. § 123B.09, Subd. 7 (School Board Powers)

***Cross References:*** MSBA/MASA Model Policy 203.2 (Order of the Regular School Board Meeting)  
MSBA/MASA Model Policy 203.5 (School Board Meeting Agenda)  
MSBA/MASA Model Policy 204 (School Board Meeting Minutes)

Adopted: 06/23/21

MSBA/MASA Model Policy 204

Orig. 1995

Revised: \_\_\_\_\_

Rev. 2008

## 204 SCHOOL EDUCATION DISTRICT BOARD MEETING MINUTES

*[Note: The provisions of this policy are required by statute.]*

### I. PURPOSE

The purpose of this policy is to establish procedures relating to the maintenance of records of the school education district board and the publication of its official proceedings.

### II. GENERAL STATEMENT OF POLICY

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It is the policy of the school education-district to maintain its records so that they will be available for inspection by members of the general public and to provide for the publication of its official proceedings in compliance with law.

### III. MAINTENANCE OF MINUTES AND RECORDS

A. The clerk shall keep and maintain permanent records of the school education district board, including records of the minutes of school education district board meetings and other required records of the school education district board. All votes taken at meetings required to be open to the public pursuant to the Minnesota Open Meeting Law shall be recorded in a ~~journal kept for that purpose~~ manner that preserves them. Public records maintained by the school education-district shall be available for inspection by members of the public during the regular business hours of the school education-district. Minutes of meetings shall be available for inspection at the administrative offices of the school education-district after they have been prepared. Minutes of ~~a~~ an school education district board meeting shall be approved or modified by the school education district board at a subsequent meeting, which action shall be reflected in the official proceedings of that subsequent meeting.

#### B. Recordings of Closed Meetings

1. All closed meetings, except those closed as permitted by the attorney-client privilege, must be electronically recorded at the expense of the school education-district. Recordings of closed meetings shall be made separately from the recordings of an open meeting, to the extent such meetings are recorded. If a meeting is closed to discuss more than one (1) matter, each matter shall be separately recorded.

2. Recordings of closed meetings shall be preserved by the school education district for the following time periods:

- a. Meetings closed to discuss labor negotiations strategy shall be preserved for two (2) years after the contract is signed.
  - b. Meetings closed to discuss security matters shall be preserved for at least four (4) years.
  - c. Meetings closed to discuss the purchase or sale of property shall be preserved for at least eight (8) years after the date of the meeting.
  - d. All other closed meetings shall be preserved by the ~~school~~education-district for at least three (3) years after the date of the meeting.
  - e. Following the expiration of the above time periods, recordings of closed meetings shall be maintained as set forth in the ~~school~~education-district's Records Retention Schedule. 202
3. Recordings of closed meetings shall be classified by the ~~school~~education district as protected non-public data that is not accessible by the public or any subject of the data, with the following exceptions:
    - a. Recordings of labor negotiations strategy meetings shall be classified as public data and made available to the public after all labor contracts are signed by the ~~school~~education-district for the current budget period.
    - b. Recordings of meetings related to the purchase or sale of property shall be classified as public data and made available to the public after all real or personal property discussed at the meeting has been purchased or sold or the ~~school~~education-district has abandoned the purchase or sale.
    - c. Recordings of any other closed meetings shall be classified and/or released as required by court order.
  4. Recordings of closed meetings shall be maintained separately from recordings of open meetings, to the extent recordings of open meetings are maintained by the ~~school~~education-district, with the exception of recordings that have been classified as public data as set forth in Section III.B.3. above. Recordings of closed meetings classified as non-public data also shall be maintained in a secure location, separate from recordings classified as public data.
  5. Recordings of closed meetings shall be maintained in a manner to easily identify the data classification of the recording. The recordings shall be identified with at least the following information:

- a. The date of the closed meeting;
  - b. The basis upon which the meeting was closed (i.e.: labor negotiations strategy, purchase or sale of real property, educational data, etc.); and
  - c. The classification of the data.
6. Recordings of closed meetings related to labor negotiations strategy and the purchase or sale of property shall be maintained and monitored in a manner that reclassifies the recording as public upon the occurrence of an event reclassifying that data as set forth in Section III.B.3. above.

#### IV. PUBLICATION OF OFFICIAL PROCEEDINGS

- A. The ~~school~~education district board shall cause its official proceedings to be published ~~once in the official newspaper~~ on the website of the ~~school~~education district within thirty (30) days of the meeting at which the proceedings occurred; however, if the ~~school~~education district board conducts regular meetings not more than once every thirty (30) days, the ~~school~~education district board need not publish the minutes until ten (10) days after they have been approved by the ~~school~~education district board. 203
- B. The proceedings to be published shall be sufficiently full to fairly set forth the proceedings. They must include the substance of all official actions taken by the ~~school~~education district board at any regular or special meeting, and at minimum must include the subject matter of a motion, the persons making and seconding the motion, a listing of how each member present voted on the motion, the character of resolutions offered including a brief description of their subject matter and whether adopted or defeated. The minutes and permanent records of the ~~school~~education district board may include more detail than is required to be published with the official proceedings. If the proceedings have not yet been approved by the ~~school~~education district board, the proceedings to be published may reflect that fact.
- C. The proceedings to be published may be a summary of the essential elements of the proceedings, and/or of resolutions and other official actions of the ~~school~~education district board. Such a summary shall be written in a clear and coherent manner and shall, to the extent possible, avoid the use of technical or legal terms not generally familiar to the public. When a summary is published, the publication shall clearly indicate that the published material is only a summary and that the full text is available for public inspection at the administrative offices of the ~~school~~education district and that a copy of the proceedings, other than attachments to the minutes, is available without cost at the offices of the ~~school~~education district or by means of standard or electronic mail.

*Legal References:* Minn. Stat. § 13D.01, Subds. 4-6 (Open Meeting Law)

Minn. Stat. § 123B.09, Subd. 10 (Publishing Proceedings)  
Minn. Stat. § 123B.14, Subd. 7 (Record of Meetings)  
Minn. Stat. § 331A.01 (Definition)  
Minn. Stat. § 331A.05, Subd. 8 (Notice Regarding Published Summaries)  
Minn. Stat. § 331A.08, Subd. 3 (Publication of Proceedings)  
Op. Atty. Gen. 161-a-20, December 17, 1970  
*Ketterer v. Independent School District No. 1*, 248 Minn. 212, 79 N.W.2d  
428 (1956)

***Cross References:*** MSBA/MASA Model Policy 205 (Open Meetings and Closed Meetings)  
MSBA Service Manual, Chapter 1, School District Governance, Powers  
and Duties

## 208 DEVELOPMENT, ADOPTION, AND IMPLEMENTATION OF POLICIES

*[Note: The provisions of this policy are recommendations. The procedures for policy development, adoption, and implementation are not specifically provided by statute.]*

### I. PURPOSE

The purpose of this policy is to emphasize the importance of the policy-making role of the school education district board and provide the means for it to continue to be an ongoing effort.

### II. GENERAL STATEMENT OF POLICY

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Formal guidelines are necessary to ensure the school-community that the school education district system responds to its mission and operates in an effective, efficient, and consistent manner. A set of written policy statements shall be maintained and modified as needed. Policies should define the desire and intent of the school education district board and should be in a form which is sufficiently explicit to guide administrative action.

### III. DEVELOPMENT OF POLICY

- A. The school education district board has jurisdiction to legislate policy for the school education-district with the force and effect of law. School Education district board policy provides the general direction as to what the school education district board wishes to accomplish while delegating implementation of policy to the administration.
- B. The school education district board's written policies provide guidelines and goals to the community. The policies shall be the basis for the formulation of guidelines and directives by the administration. The school education district board shall determine the effectiveness of the policies by evaluating periodic reports from the administration.
- C. Policies may be proposed by ~~a~~-an school education district board member, employee, student or ~~resident~~-residents of the school education-district member districts. Proposed policies or ideas shall be submitted to the superintendent executive director for review prior to possible placement on the school education district board agenda.

### IV. ADOPTION OF POLICY

- A. The school education district board shall give notice of proposed policy changes or

adoption of new policies by placing the item on the agenda of two school education district board meetings. The proposals shall be distributed and public comment will be allowed at both meetings prior to final school education district board action.

- B. The final action taken to adopt the proposed policy shall be approved by a simple majority vote of the school education district board at a subsequent meeting after the meetings at which public input was received. The policy will be effective on the later of the date of passage or the date stated in the motion.
- C. In the case of an emergency, a new or modified policy may be adopted by a majority vote of a quorum of the school education district board. A statement regarding the emergency and the need for immediate adoption of the policy shall be included in the minutes. The emergency policy shall expire within one year following the emergency action unless the policy adoption procedure stated above is followed and the policy is reaffirmed. The school education district board shall have discretion to determine what constitutes an emergency situation.
- D. If a policy is modified with minor changes that do not affect the substance of the policy or because of a legal change over which the school education district board has no control, the modified policy may be approved at one meeting at the discretion of the school education district board.

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## V. IMPLEMENTATION OF POLICY

- A. The superintendent executive director shall be responsible for implementing school education district board policies, other than the policies that cover how the school education district board will operate. The superintendent executive director shall develop administrative guidelines and directives to provide greater specificity and consistency in the process of implementation. These guidelines and directives, including employee and student handbooks, shall be subject to annual review and approval by the school education district board.

***[Note: These policies are found in the 200 Series of the MSBA/MASA Policy Reference Manual.]***

- B. Each school education district board member shall have access to this policy manual, and a copy shall be placed in the office of each school education district attendance center. Manuals shall be available in the central office and made available for reference purposes to other interested persons.
- C. The superintendent executive director, employees designated by the superintendent executive director, and individual school education district board members shall be responsible for keeping the policy manuals current.
- D. The school education district board shall review policies at least once every three years. The superintendent executive director shall be responsible for developing a system of periodic review, addressing approximately one third of the policies

annually. In addition, the ~~school~~education district board shall review the following policies annually: 410 Family and Medical Leave Policy; 413 Harassment and Violence; 414 Mandated Reporting of Child Neglect or Physical or Sexual Abuse; 415 Mandated Reporting of Maltreatment of Vulnerable Adults; 506 Student Discipline; 514 Bullying Prohibition Policy; 522 Student Sex Nondiscrimination; 524 Internet Acceptable Use and Safety Policy; 616 ~~School~~Education—District System Accountability; and 806 Crisis Management Policy.

- E. When no ~~school~~education district board policy exists to provide guidance on a matter, the ~~superintendent~~executive director is authorized to act appropriately under the circumstances keeping in mind the educational philosophy and financial condition of the ~~school~~education—district. Under such circumstances, the ~~superintendent~~executive director shall advise the ~~school~~education district board of the need for a policy and present a recommended policy to the ~~school~~education district board for approval.

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**Legal References:** Minn. Stat. § 123B.02, Subd. 1 (School District Powers)  
Minn. Stat. § 123B.09, Subd. 1 (School Board Powers)

**Cross References:** MSBA/MASA Model Policy 305 (Policy Implementation)

Adopted: 06/23/21

MSBA/MASA Model Policy 301

Orig. 1995

Revised: \_\_\_\_\_

Rev. 2011

## 301 SCHOOL EDUCATION -DISTRICT ADMINISTRATION

### I. PURPOSE

The purpose of this policy is to clarify the role of the school education-district administration and its relationship with the school education district board.

### II. GENERAL STATEMENT OF POLICY

- A. Effective administration and sound management practices are essential to realizing educational excellence. It is the responsibility of the school education-district administration to develop a-an school education district environment that recognizes the dignity of each student and employee, and the right of each student to access educational programs and services. 208
- B. The school education district board expects all activities related to the operation of the school education-district to be administered in a well-planned manner, conducted in an orderly fashion, and to be consistent with the policies of the school education district board.
- C. The school education district board shall seek specific recommendations, background information and professional advice from the school education district administration, and will hold the administration accountable for sound management of the school education districts.
- D. Although the school education district board holds the superintendent executive director ultimately responsible for administration of the school education-district and annual evaluation of each principal, the school education district board also recognizes the direct responsibility of principals for educational results and effective administration, supervisory, and instructional leadership at the school education district building level.
- E. The school education district board and school education district administration shall work together to share information and decisions that best serve the needs of school education-district students within financial and facility constraints that may exist.

**Legal References:** Minn. Stat. § 123B.143 (Superintendent)  
Minn. Stat. § 123B.147 (Principals)

**Cross References:** MSBA Service Manual, Chapter 3, Superintendent of Schools

Adopted: 06/23/21

MSBA/MASA Model Policy 302

Orig. 1995

Revised: \_\_\_\_\_

Rev. 2011

## 302 SUPERINTENDENT EXECUTIVE DIRECTOR

### I. PURPOSE

The purpose of this policy is to recognize the importance of the role of the superintendent executive director and the overall responsibility of that position within the school education district.

### II. GENERAL STATEMENT OF POLICY

The school education district board shall employ ~~a~~ an superintendent executive director who shall serve as an ex officio, nonvoting member of the school education district board and as chief executive officer of the school education district system.

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### III. GENERAL RESPONSIBILITIES

- A. The superintendent executive director is responsible for the management of the school education district, the administration of all school education district policies, and is directly accountable to the school education district board.
- B. The superintendent executive director shall annually evaluate each principal assigned responsibility for supervising ~~a~~ an school education district building in the district.
- C. The superintendent executive director may delegate responsibilities to other school education district personnel, but shall continue to be accountable for actions taken under such delegation.
- D. Where responsibilities are not specifically prescribed, nor school education district board policy applicable, the superintendent executive director shall use personal and professional judgment, subject to review by the school education district board.

**Legal References:** Minn. Stat. § 123B.143 (Superintendent)

**Cross References:** MSBA/MASA Model Policy 202 (School Board Officers)  
MSBA/MASA Model Policy 208 (Development, Adoption, and Implementation of Policies)  
MSBA/MASA Model Policy 214 (Out-of-State Travel by School Board Members)  
MSBA/MASA Model Policy 301 (School District Administration)  
MSBA/MASA Model Policy 303 (Superintendent Selection)

MSBA/MASA Model Policy 304 (Superintendent Contract, Duties, and Evaluation)  
MSBA/MASA Model Policy 305 (Policy Implementation)  
MSBA/MASA Model Policy 306 (Administrator Code of Ethics)  
MSBA/MASA Model Policy 412 (Expense Reimbursement)  
MSBA/MASA Model Policy 510 (School Activities)  
MSBA/MASA Model Policy 511 (Student Fundraising)  
MSBA/MASA Model Policy 513 (Student Promotion, Retention, and Program Design)  
MSBA/MASA Model Policy 602 (Organization of School Calendar and School Day)  
MSBA/MASA Model Policy 605 (Alternative Programs)  
MSBA/MASA Model Policy 701 (Establishment and Adoption of School District Budget)  
MSBA/MASA Model Policy 704 (Development and Maintenance of an Inventory of Fixed Assets and a Fixed Asset Accounting System)  
MSBA/MASA Model Policy 802 (Disposition of Obsolete Equipment and Material) 210  
MSBA/MASA Model Policy 903 (Visitors to School District Buildings and Sites)  
MSBA/MASA Model Policy 905 (Advertising)  
MSBA/MASA Model Policy 906 (Community Notification of Predatory Offenders)  
MSBA/MASA Model Policy 907 (Rewards)  
MSBA Service Manual, Chapter 3, Superintendent of Schools

Adopted: 06/23/21

MSBA/MASA Model Policy 305

Orig. 1995

Revised: \_\_\_\_\_

Rev. 1999

## 305 POLICY IMPLEMENTATION

### I. PURPOSE

The purpose of this policy is to clarify the responsibility of the school administration for implementation of school-education district board policy.

### II. GENERAL STATEMENT OF POLICY

- A. It shall be the responsibility of the superintendent-executive director to implement school-education district board policy and to recommend additions or modifications thereto. The administration is authorized to develop guidelines and directives to effectuate the implementation of school-education district board policies. These guidelines and directives shall not be inconsistent with said policies. At least annually, these written procedures shall be presented to the school-education district board for review.
- B. Employee and student handbooks shall be subject to annual review and approval by the school-education district board.
- C. School principals and other administrators who have handbook responsibilities shall present recommended changes necessary to reflect new or modified policies. Changes of substance within handbooks shall be reviewed by the superintendent-executive director to assure compliance with school-education district board policy and shall be approved by the school-education district board.

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**Legal References:** Minn. Stat. § 123B.143 (Superintendent)

**Cross References:** MSBA/MASA Model Policy 208 (Development, Adoption, and Implementation of Policies)

Adopted: 6/23/21

MSBA/MASA Model Policy 525

Orig. 1996

Revised: \_\_\_\_\_

Rev. 2017

## **525 VIOLENCE PREVENTION [APPLICABLE TO STUDENTS AND STAFF]**

### **I. PURPOSE**

The purpose of this policy is to recognize that violence has increased and to identify measures that the education district will take in an attempt to maintain a learning and working environment that is free from violent and disruptive behavior.

The education district board is committed to promoting healthy human relationships and learning environments that are physically and psychologically safe for all members of the school community. It further believes that students are the first priority and they should be protected from physical or emotional harm during school activities and on school grounds, buses, or field trips while under school district supervision.

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### **II. GENERAL STATEMENT OF POLICY**

- A. The policy of the education district is to strictly enforce its weapons policy (Policy 501).
- B. The policy of the education district is to act promptly in investigating all acts, or formal or informal complaints, of violence and take appropriate disciplinary action against any student or staff member who is found to have violated this policy or any related policy.
- C. The administration will periodically review discipline policies and procedures, prepare revisions if necessary, and submit them to the education district board for review and adoption.
- D. The education district will implement approved violence prevention strategies to promote safe and secure learning environments, to diminish violence in our schools, and to aid in the protection of children whose health or welfare may be jeopardized through acts of violence.

### **III. IMPLEMENTATION OF POLICY**

- A. The education district board will review and approve policies to prevent and address violence in our schools. The superintendent or designee will develop procedures to effectively implement the education district weapons and violence prevention policies. It shall be incumbent on all students and staff to observe all policies and report violations to the education district administration.
- B. The education district board and administration will inform staff and students

annually of policies and procedures related to violence prevention and weapons.

- C. The education district will act promptly to investigate all acts and formal and informal complaints of violence and take appropriate disciplinary action against any student or staff member who is found to have violated this policy or any related policy.
- D. The consequences set forth in the education district weapons policy (Policy 501) will be imposed upon any student or nonstudent who possesses, uses or distributes a weapon when in a school location.
- E. The consequences set forth in the education district hazing policy (Policy 526) will be imposed upon any student or staff member who commits an act against a student or staff member; or coerces a student or staff member into committing an act, that creates a substantial risk of harm to a person in order for the student or staff member to be initiated into or affiliated with an organization, or for any other purpose.
- F. Students who engage in assault or violent behavior will be removed from the classroom immediately and for a period of time deemed appropriate by the principal, in consultation with the teacher, pursuant to the student discipline policy (Policy 506).
- G. Students with disabilities may be expelled for behavior unrelated to their disabilities, subject to the procedural safeguards required by the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, and the Pupil Fair Dismissal Act.
- H. Procedures will be developed for the referral of any person in violation of this policy or the weapons policy to the local law enforcement agency in accordance with Minn. Stat. § 121A.05.
- I. Students who wear objectionable emblems, signs, words, objects, or pictures on clothing communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership or that approves, advances, or provokes any form of religious, racial, or sexual harassment or violence against other individuals as defined in the harassment and violence policy (Policy 413) will be subject to the procedures set forth in the student dress and appearance policy (Policy 504). “Gang” as used in this policy means any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or whose members engaged in a pattern of criminal gang activity. A “pattern of gang activity” means the commission, attempt to commit, conspiring to commit, or solicitation of two or more criminal acts, provided the criminal acts were committed on separate dates or by two or more persons who are members of or belong to the same criminal street gang.

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- J. This policy is not intended to abridge the rights of students to express political, religious, philosophical, or similar opinions by wearing apparel on which such messages are stated. Such messages are acceptable as long as they are not lewd, vulgar, obscene, defamatory, profane, denote gang affiliation, advocate harassment or violence against others, are likely to disrupt the education process, or cause others to react in a violent or illegal manner (Policy 504).

#### **IV. PREVENTION STRATEGIES**

The education district has adopted and will implement the following prevention strategies to promote safe and secure learning environments, to diminish violence in our schools, and to aid in the protection of children whose health or welfare may be jeopardized through acts of violence.

- A. Adopt a district crisis management policy to address potential violent crisis situations in the district.
- B. Provide training in recognition, prevention, and safe responses to violence and development of a positive school climate.
- C. Coordinate a local school security review committee or task force comprised of school officials, law enforcement, parents, and students to advise on policy implementation.
- D. In-service training for personnel in aspects of reporting, visibility, and supervision as deterrents to violence.
- E. In-service training for personnel by experts familiar with sexual abuse, domestic violence, and personal safety issues on the following: helping students identify violence in the family and the community so that students may learn to resolve conflicts in effective, nonviolent ways; responding to a disclosure of child sexual abuse in a supportive, appropriate manner; and/or complying with mandatory reporting requirements under the Maltreatment of Minors Reporting Act.
- F. Promote student safety responsibility by encouraging the reporting of suspicious individuals and unusual activities on school grounds.
- G. Establish a curriculum committee that explores ways of teaching students violence prevention strategies, law-related education, and character/values education (universal values, e.g., honesty, personal responsibility, self-discipline, cooperation, and respect for others).
- H. Establish clear school rules that prevent and deter violence.
- I. Develop cross-cultural awareness programs to unify students of all cultures and backgrounds, to develop mutual respect and understanding of shared experiences

and values among students, and to promote the message of inclusion.

- J. Establish conflict resolution training, conflict management, or peer mediation programs for staff and students to teach conservative approaches to settling disputes.
- K. Develop curriculum that teaches social skills such as maintaining self-control, building communications skills, forming friendships, resisting peer pressure, being appropriately assertive, forming positive relationships with adults, and resolving conflict in nonviolent ways.
- L. Develop curriculum that teaches critical viewing and listening skills in analyzing mass media to recognize stereotypes, distinguish fact from fantasy, and identify differences in behavior and values that conflict with their own.
- M. Develop a student photo or name identification system for quick identification of the student in case of emergency.
- N. Develop a staff photo or name identification system using identification badges for quick identification of unauthorized people on campus.
- O. Require all visitors to check-in the main office upon their arrival and state their business at the school. A visitor badge may be issued for easy identification that the visitor is authorized to be present in the school building.
- P. Develop curriculum on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.
- Q. Develop curriculum on child sexual abuse prevention for students, including age-appropriate instruction on recognizing sexual abuse and assault, boundary violations, and ways offenders groom or desensitize victims, as well as strategies to promote disclosure, reduce self-blame, and mobilize bystanders. The curriculum may be created in consultation with federal, state, and local agencies and community-based organizations, including the Child Information Gateway website maintained by the United States Department of Health and Human Services, to identify research-based tools, curricula, and programs to prevent child sexual abuse.
- R. Provide training to all education district personnel on recognizing and preventing sexual abuse and sexual violence which may include training on mandatory reporting requirements provided on the Department of Education's website and reviewing the Code of Ethics for Minnesota Teachers.

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## V. STUDENT SUPPORT

- A. Students will have access to school-based student service professionals, when available, including counselors, nurses, social workers, and psychologists who are knowledgeable in methods to assist students with violence prevention and intervention.
- B. Students will be apprised of education district board policies designed to protect their personal safety.
- C. Students will be provided with information as to education district and building rules regarding weapons and violence.
- D. Students will be informed of resources for violence prevention and proper reporting.

**VI. PERSONNEL**

- A. Education district personnel shall comply with the education district weapons policy (Policy 501) and the education district hazing policy (Policy 526).
- B. Education district personnel shall be knowledgeable of violence prevention policies and report any violation to education district administration immediately. Education district personnel will be informed annually as to education district and building rules regarding weapons and violence prevention.
- C. Education district personnel or agents of the education district shall not engage in emotionally abusive acts including malicious shouting, ridicule, and/or threats or other forms of corporal punishment (Policy 507).

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**Legal References:** Minn. Stat. § 13.43, Subd. 16 (School District or Charter School Disclosure of Violence or Inappropriate Sexual Contact)  
Minn. Stat. § 120B.22 (Violence Prevention Education)  
Minn. Stat. § 120B.232 (Character Development Education)  
Minn. Stat. § 120B.234 (Child Sexual Abuse Prevention Education)  
Minn. Stat. § 121A.035 (Crisis Management Policy)  
Minn. Stat. § 121A.05 (Policy to Refer Firearms Possessor)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)  
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)  
Minn. Stat. § 121A.64 (Notification)  
Minn. Stat. § 121A.69 (Hazing Policy)  
Minn. Stat. § 181.967, Subd. 5 (School District Disclosure of Violence or Inappropriate Sexual Contact)  
18 U.S.C. § 921 (Definition of Firearm)  
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Improvement Act of 2004)  
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)  
*Tinker v. Des Moines Indep. Sch. Dist.*, 393 U.S. 503, 89 S.Ct. 733, 21

L.Ed.2d 731 (1969)

*Stephenson v. Davenport Cmty. Sch. Dist.*, 110 F.3d 1303 (8<sup>th</sup> Cir. 1997)

*McIntire v. Bethel School*, 804 F.Supp. 1415, 78 Educ. L.Rep. 828 (W.D. Okla. 1992)

*Olesen v. Board of Educ. of Sch. Dist. No. 228*, 676 F.Supp. 820, 44 Educ. L.Rep. 205 (N.D. Ill. 1987)

***Cross References:***

MSBA/MASA Model Policy 413 (Harassment and Violence)

MSBA/MASA Model Policy 501 (School Weapons Policy)

MSBA/MASA Model Policy 504 (Student Dress and Appearance)

MSBA/MASA Model Policy 506 (Student Discipline)

MSBA/MASA Model Policy 507 (Corporal Punishment)

MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)

MSBA/MASA Model Policy 526 (Hazing Prohibition)

MSBA/MASA Model Policy 529 (Staff Notification of Violent Behavior by Students)

## 535 SERVICE ANIMALS IN SCHOOLS

### I. PURPOSE

The purpose of this policy is to establish parameters for the use of service animals by students, employees, and visitors within school buildings and on school grounds.

### II. GENERAL STATEMENT OF POLICY

Individuals with disabilities shall be permitted to bring their service animals into school buildings or on school grounds in accordance with, and subject to, this policy.

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### III. DEFINITIONS

#### A. Service Animal

A “service animal” is a dog (regardless of breed or size) or miniature horse that is individually trained to perform “work or tasks” for the benefit of an individual with a disability, including an individual with a physical, sensory, psychiatric, intellectual, or mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals. Service animals are working animals that perform valuable functions; they are not pets. The work or tasks performed by the service animal must be directly related to the individual’s disability. An animal accompanying an individual for the sole purpose of providing emotional support, therapy, comfort, or companionship is not a service animal.

#### B. Handler

A “handler” is an individual with a disability who uses a service animal. In the case of an individual who is unable to care for and supervise the service animal for reasons such as age or disability, “handler” means the person who cares for and supervises the animal on that individual’s behalf. School district personnel are not responsible for the care, supervision, or handling responsibilities of a service animal.

#### C. Work or Tasks

1. “Work or tasks” are those functions performed by a service animal.
2. Examples of “work or tasks” include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other

tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

3. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship are not "work or tasks" for the purposes of this policy.

D. Trainer

A "trainer" is a person who is training a service animal and is affiliated with a recognized training program for service animals.

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#### **IV. ACCESS TO PROGRAMS AND ACTIVITIES; PERMITTED INQUIRIES**

- A. In general, handlers (i.e., individuals with disabilities or trainers) are permitted to be accompanied by their service animals in all areas of school district properties where members of the public, students, and employees are allowed to go. A handler has the right to be accompanied by a service animal whenever and to the same extent that the handler has the right: (a) to be present on school district property or in school district facilities; (b) to attend or participate in a school-sponsored event, activity, or program; or (c) to be transported in a vehicle that is operated by or on behalf of the school district.
- B. When an individual with a disability brings a service animal to a school district property, school district employees shall not ask about the nature or extent of a person's disability, but may make the following two inquiries to determine whether the animal qualifies as a service animal:
  1. Is the service animal required because of a disability; and
  2. What work or tasks is the service animal trained to perform.
- C. School district employees shall not make these inquiries of an individual with a disability bringing a service animal to school district property when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability. However, school district employees may inquire whether the individual with a disability has completed and submitted the request form described in Part VI., below.
- D. An individual with a disability may not be required to provide documentation such as proof that the animal has been certified, trained, or licensed as a service animal.

## V. REQUIREMENTS FOR ALL SERVICE ANIMALS

- A. The service animal must be required for the individual with a disability.
- B. The service animal must be individually trained to do work or tasks for the benefit of the individual with a disability.
- C. A service animal must have a harness, leash, or other tether, unless either the handler is unable, because of a disability, to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case, the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).
- D. The service animal must be housebroken.
- E. The service animal must be under the control of its handler at all times. The handler is responsible for the care and supervision of a service animal, including walking the service animal, feeding the service animal, grooming the service animal, providing veterinary care to the service animal, and responding to the service animal's need to relieve itself, including the proper disposal of the service animal's waste. 220
- F. The school district is not responsible for providing a staff member to walk the service animal or to provide any other care or assistance to the animal.
- G. In the case of a student who is unable to care for and/or supervise his or her service animal, the student's parent/guardian is responsible for arranging for such care and supervision. In the case of an employee or other individual who is unable to care for and/or supervise his or her service animal, the employee or other individual's authorized representative is responsible for arranging for a service animal's care and supervision.
- H. The service animal must be properly licensed and vaccinated in accordance with applicable state laws and local ordinances.

## VI. REQUESTING THE USE OF A SERVICE ANIMAL AT SCHOOL

- A. Students with a disability seeking to be accompanied by a service animal are requested to submit the Approval Request Form to the building principal of the school the student attends. The principal will notify the superintendent or the administrator designated with responsibility to address such requests. School Education district employees seeking to be accompanied by a service animal are requested to submit the Approval Request Form to the superintendent-executive director or the administrator designated with responsibility to address such requests.
- B. Students or employees seeking to bring a service animal onto district premises are

requested to identify whether the need for the service animal is required because of a disability and to describe the work or tasks that the service animal is trained to perform.

- C. The owner of the service animal shall provide written evidence that the service animal has received all vaccinations required by state law or local ordinance.

## VII. REMOVAL OR EXCLUSION OF A SERVICE ANIMAL

- A. A school official may require a handler to remove a service animal from school district property, a school building, or a school-sponsored program or activity, if:
  - 1. Any of the requirements described in Part V., above, are not met.
  - 2. The service animal is out of control and/or the handler does not effectively control the animal's behavior;
  - 3. The presence of the service animal would fundamentally alter the nature of a service, program or activity; or
  - 4. The service animal behaves in a way that poses a direct threat to the health or safety of others, has a history of such behavior, or otherwise poses a significant health or safety risk to others that cannot be eliminated by reasonable accommodations.
- B. If the service animal is properly excluded, the school district shall give the individual with a disability the opportunity to participate in the service, program, or activity without the service animal, unless such individual has violated a law or school rule or regulation that would warrant the removal of the individual.

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## VIII. ADDITIONAL LIMITATIONS FOR MINIATURE HORSES

In assessing whether a miniature horse may be permitted in a school building or on school grounds as a service animal, the following factors shall be considered:

- A. The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
- B. Whether the handler has sufficient control of the miniature horse;
- C. Whether the miniature horse is housebroken; and
- D. Whether the miniature horse's presence in a specific building or on school grounds compromises legitimate health and safety requirements.

## IX. ALLERGIES; FEAR OF ANIMALS

If a student or employee notifies the school-education district that he or she is allergic to a

service animal, the ~~school-education~~ district will balance the rights of the individuals involved. In general, allergies that are not life threatening are not a valid reason for prohibiting the presence of a service animal. Fear of animals is generally not a valid reason for prohibiting the presence of a service animal.

#### **X. NON-SERVICE ANIMALS FOR STUDENTS WITH INDIVIDUALIZED EDUCATION PROGRAMS (IEPS) OR SECTION 504 PLANS**

If a special education student or a student with a Section 504 plan seeks to bring an animal onto school property that is not a service animal, the request shall be referred to the student's IEP team or Section 504 team, as appropriate, to determine whether the animal is necessary for the student to receive a free appropriate public education (FAPE) or, in the case of a Section 504 student, to reasonably accommodate the student's access to the ~~school-education~~ district's programs and activities.

#### **XI. NON-SERVICE ANIMAL AS AN ACCOMMODATION FOR EMPLOYEES**

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If an employee seeks to bring an animal onto school property that is not a service animal, the request shall be referred to the ~~superintendent-executive director~~ or the administrator designated to handle such requests. ~~A school~~An education district employee who is a qualified individual with a disability will be allowed to bring such animal onto school property when it is determined that such use is required to enable the employee to perform the essential functions of his or her position or to enjoy the benefits of employment in a manner comparable to those similarly situated non-disabled employees.

#### **XII. LIABILITY**

- A. The owner of the service animal is responsible for any harm or injury to an individual and for any property damage caused by the service animal while on ~~school-education~~ district property.
- B. An individual who, directly or indirectly through statements or conduct, intentionally misrepresents an animal in that person's possession as a service animal may be subject to criminal liability.

**Legal References:** Section 504 of the Rehabilitation Act of 1973  
28 C.F.R. § 35.104, 28 C.F.R. § 35.130(b)(7), and 28 C.F.R. § 35.136  
(ADA Regulations)  
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Act)  
Minn. Stat. § 256C.02 (Public Accommodations for Persons with Disabilities)  
Minn. Stat. § 363A.19 (Discrimination Against Blind, Deaf, or Other Persons with Physical or Sensory Disabilities Prohibited)  
Minn. Stat. § 609.226 (Harm Caused by Dog)  
Minn. Stat. § 609.833 (Misrepresentation of Service Animal)

**Cross References:** MSBA/MASA Policy 402 (Disability Nondiscrimination Policy)

MSBA/MASA Policy 521 (Student Disability Nondiscrimination)

## APPROVAL REQUEST FORM FOR USE OF A SERVICE ANIMAL

All requests should be submitted to the executive director.

Student/Employee Name: \_\_\_\_\_ Date: \_\_\_\_\_

Parent or authorized representative name(s) and contact information (*please include email, phone number, and address*): \_\_\_\_\_  
\_\_\_\_\_

Building: \_\_\_\_\_

Type of service animal: \_\_\_\_\_

Name of service animal: \_\_\_\_\_ Name of handler: \_\_\_\_\_

Is the service animal required because of a disability: \_\_\_\_\_  
\_\_\_\_\_

What work or tasks is the service animal trained to perform: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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### Checklist for Completion of Form

Attached is documentation that the service animal is:

Properly licensed

Properly and currently vaccinated

I have read and understand the ~~School~~-Education District's policy regarding service animals and will abide by the terms of the policy.

I understand that if my service animal: is out of control and/or the animal's handler does not effectively control the animal's behavior; is not housebroken or the animal's presence or behavior fundamentally interferes in the functions of the ~~School~~-Education District; or behaves in a way that poses a direct threat to the health or safety of others, has a history of such behavior, or otherwise poses a direct threat to the health and safety of others that cannot be eliminated by reasonable modifications, the ~~School~~-Education District has the discretion to exclude or remove my service animal from its property.

I agree to be responsible for any and all damage to ~~School~~-Education District property, personal property, and any injuries to individuals caused by my service animal. I agree to indemnify, defend, and hold harmless the ~~School~~-Education District, its school board members, administrators, employees, and agents, from and against any and all claims, actions, suits, judgments, and demands brought by any party arising on account of, or in connection with, any activity of or damage caused by my service animal.

Administrator Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Note:** This Registration/Agreement is valid until the end of the current school year. It must be renewed prior to the start of each subsequent school year or whenever a different service animal will be used.



## Goodhue County Education District Policy Work

The following are revised policies for board consideration. This is a 1st Reading.

	Tobacco-Free Environment; Possession and Use of tobacco, Tobacco-related Devices, and Electronic Delivery Devices; Vaping	
419	Awareness and Prevention Instruction	revision
504	Student Dress and Appearance	revision
506	Student Discipline	revision
506f	Student Discipline form	revision
516	Student Medication	revision
522	Student Sex Nondiscrimination	revision
522f	Student Sex Nondiscrimination form	revision
523	Policies Incorporated by Reference	revision
601	School District Curriculum & Instruction Goals	revision
613	Graduation Requirements	revision
	Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504, and LEP Students	
615		revision
616	Education District System Accountability	revision

**419 TOBACCO-FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO, TOBACCO-RELATED DEVICES, AND ELECTRONIC DELIVERY DEVICES; VAPING AWARENESS AND PREVENTION INSTRUCTION**

*[Note: School districts are not required by statute to have a policy addressing these issues. However, Minn. Stat. § 144.416 requires that entities that control public places must make reasonable efforts to prevent smoking in public places, including the posting of signs or any other means which may be appropriate. Additionally, Minn. Stat. § 120B.238 requires that vaping prevention instruction be provided as set forth in this policy.]*

**I. PURPOSE**

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The purpose of this policy is to maintain a learning and working environment that is tobacco free.

**II. GENERAL STATEMENT OF POLICY**

A. A violation of this policy occurs when any student, teacher, administrator, other school personnel of the education district, or person smokes or uses tobacco, tobacco-related devices, or carries or uses an activated electronic delivery device in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that an education district owns, leases, rents, contracts for, or controls. In addition, this prohibition includes vehicles used, in whole or in part, for work purposes, during hours of school operation, if more than one person is present. This prohibition includes all education district property and all off-campus events sponsored by the education district.

B. A violation of this policy occurs when any elementary school, middle school, or secondary school student possesses any type of tobacco, tobacco-related devices, or electronic delivery devices in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that an education district owns, leases, rents, contracts for, or controls and includes vehicles used, in whole or in part, for education purposes, during hours of school operation, if more than one person is present. This prohibition includes all education district property and all off-campus events sponsored by the education district.

C. The education district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, education personnel, or person who is found to have violated this policy.

D. The education district will not solicit or accept any contributions or gifts of

money, curricula, materials, or equipment from companies that directly manufacture and are identified with tobacco products, tobacco-related devices, or electronic delivery devices. The education district will not promote or allow promotion of tobacco products or electronic delivery devices on education district property or at education district-sponsored events.

### III. DEFINITIONS

- A. “Electronic delivery device” means any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of aerosol or vapor from the product. Electronic delivery devices includes but is not limited to devices manufactured, marketed, or sold as electronic cigarettes, electronic cigars, electronic pipe, vape pens, modes, tank systems, or under any other product name or descriptor. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device excludes drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- B. “Heated tobacco product” means a tobacco product that produces aerosols containing nicotine and other chemicals which are inhaled by users through the mouth.
- C. “Tobacco” means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to, cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- D. “Tobacco-related devices” means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of vapors aerosol or vapor of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.
- E. “Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an activated electronic delivery device.

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- F. “Vaping” means using an activated electronic delivery device or heated tobacco product.”

#### IV. EXCEPTIONS

- A. A violation of this policy does not occur when an Indian adult lights tobacco on education district property as a part of a traditional Indian spiritual or cultural ceremony. An Indian is a person who is a member of an Indian tribe as defined under Minnesota law.
- B. A violation of this policy does not occur when an adult nonstudent possesses a tobacco or nicotine product that has been approved by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose. Nothing in this exception authorizes smoking or use of tobacco, tobacco-related devices, or electronic delivery devices on education district property or at off-campus events sponsored by the education district. 229

#### V. VAPING PREVENTION INSTRUCTION

- A. The education district must provide vaping prevention instruction at least once to students in grades 6 through 8.
- B. The education district must provide vaping prevention instruction at least once to students in grades 9 through 12.
- C. The education district may use instructional materials based upon the Minnesota Department of Health’s school e-cigarette toolkit or may use other smoking prevention instructional materials with a focus on vaping and the use of electronic delivery devices and heated tobacco products. The instruction may be provided as part of the education district’s locally developed health standards.

#### VI. ENFORCEMENT

- A. All individuals on education district premises shall adhere to this policy.
- B. Students who violate this tobacco-free policy shall be subject to education district discipline procedures.
- C. ~~Education district~~School administrators and other school personnel who violate this tobacco-free policy shall be subject to education district discipline procedures.
- D. Education district action taken for violation of this policy will be consistent with

requirements of applicable collective bargaining agreements, Minnesota or federal law, and education district policies.

- E. Persons who violate this tobacco-free policy may be referred to the building administration or other education district supervisory personnel responsible for the area or program at which the violation occurred.
- F. ~~Education district~~School administrators may call the local law enforcement agency to assist with enforcement of this policy. Smoking or use of any tobacco product in a public school is a violation of the Minnesota Clean Indoor Air Act and/or the Freedom to Breathe Act of 2007 and is a petty misdemeanor. A court injunction may be instituted against a repeated violator.
- G. No persons shall be discharged, refused to be hired, penalized, discriminated against, or in any manner retaliated against for exercising any right to a smoke-free environment provided by the Freedom to Breathe Act of 2007 or other law.

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## VII. DISSEMINATION OF POLICY

- A. This policy shall appear in the student handbook.
- B. The education district will develop a method of discussing this policy with students and employees.

**Legal References:** Minn. Stat. § 120B.238 (Vaping Awareness and Prevention)  
Minn. Stat. §§ 144.411-144.417 (Minnesota Clean Indoor Air Act)  
Minn. Stat. § 609.685 (Sale of Tobacco to Children)  
2007 Minn. Laws Ch. 82 (Freedom to Breathe Act of 2007)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA Service Manual, Chapter 2, Students; Rights, Responsibilities and Behavior

## 504 STUDENT DRESS AND APPEARANCE

### I. PURPOSE

The purpose of this policy is to enhance the education of students by establishing expectations of dress and grooming that are related to educational goals and community standards.

### II. GENERAL STATEMENT OF POLICY

- A. The policy of the education district is to encourage students to be dressed appropriately for school activities and in keeping with community standards. This is a joint responsibility of the student and the student's parent(s) or guardian(s). 231
- B. Appropriate clothing includes, but is not limited to, the following:
1. Clothing appropriate for the weather.
  2. Clothing that does not create a health or safety hazard.
  3. Clothing appropriate for the activity (i.e., physical education or the classroom).
- C. Inappropriate clothing includes, but is not limited to, the following:
1. "Short shorts," skimpy tank tops, tops that expose the midriff, and other clothing that is not in keeping with community standards.
  2. Clothing bearing a message that is lewd, vulgar, or obscene.
  3. Apparel promoting products or activities that are illegal for use by minors.
  4. Objectionable emblems, badges, symbols, signs, words, objects or pictures on clothing or jewelry communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group, evidences gang membership or affiliation, or approves, advances, or provokes any form of religious, racial, or sexual harassment and/or violence against other individuals as defined in MSBA/MASA Model Policy 413.
  5. Any apparel or footwear that would damage school property.
- D. Headgear, including hats or head coverings.Hats are not allowed in the building

except with the approval of the building principal (i.e., student undergoing chemotherapy, medical situations, student religious practice or belief).

- E. The intention of this policy is not to abridge the rights of students to express political, religious, philosophical, or similar opinions by wearing apparel on which such messages are stated. Such messages are acceptable as long as they are not lewd, vulgar, obscene, defamatory, profane, or do not advocate violence or harassment against others.
- F. “Gang,” as defined in this policy, means any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or whose members engaged in a pattern of criminal gang activity. “Pattern of gang activity” means the commission, attempt to commit, conspiring to commit, or solicitation of two or more criminal acts, provided the criminal acts were committed on separate dates or by two or more persons who are members of or belong to the same criminal street gang.

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### III. PROCEDURES

- A. When, in the judgment of the administration, a student’s appearance, grooming, or mode of dress interferes with or disrupts the educational process or school activities, or poses a threat to the health or safety of the student or others, the student will be directed to make modifications or will be sent home for the day. Parents/guardians will be notified.
- B. The administration may recommend a form of dress considered appropriate for a specific event and communicate the recommendation to students and parents/guardians.
- C. Likewise, an organized student group may recommend a form of dress for students considered appropriate for a specific event and make such recommendation to the administration for approval.

#### **Legal References:**

U. S. Const., amend. I  
*Tinker v. Des Moines Indep. Sch. Dist.*, 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)  
*B.W.A. v. Farmington R-7 Sch. Dist.*, 554 F.3d 734 (8<sup>th</sup> Cir. 2009)  
*Lowry v. Watson Chapel Sch. Dist.*, 540 F.3d 752 (8<sup>th</sup> Cir. 2008)  
*Stephenson v. Davenport Cmty. Sch. Dist.*, 110 F.3d 1303 (8<sup>th</sup> Cir. 1997)  
*B.H. ex rel. Hawk v. Easton Area School Dist.*, 725 F.3d 293 (3<sup>rd</sup> Cir. 2013)  
*D.B. ex rel. Brogdon v. Lafon*, 217 Fed.Appx. 518 (6<sup>th</sup> Cir. 2007)  
*Hardwick v. Heyward*, 711 F.3d 426 (4<sup>th</sup> Cir. 2013)  
*Madrid v. Anthony*, 510 F.Supp.2d 425 (S.D. Tex. 2007)  
*McIntire v. Bethel School, Indep. Sch. Dist. No. 3*, 804 F.Supp. 1415

(W.D. Okla. 1992)

*Hicks v. Halifax County Bd. of Educ.*, 93 F.Supp.2d 649 (E.D. N.C. 1999)

*Olesen v. Bd. of Educ. of Sch. Dist. No. 228*, 676 F.Supp. 820 (N.D. Ill. 1987)

***Cross References:*** MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 525 (Violence Prevention)

## 506 STUDENT DISCIPLINE

*[Note: Education districts are required by statute to have a policy addressing these issues.]*

### I. PURPOSE

The purpose of this policy is to ensure that students are aware of and comply with the education district's expectations for student conduct. Such compliance will enhance the education district's ability to maintain discipline and ensure that there is no interference with the educational process. The education district will take appropriate disciplinary action when students fail to adhere to the Code of Student Conduct established by this policy.

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### II. GENERAL STATEMENT OF POLICY

The education district board recognizes that individual responsibility and mutual respect are essential components of the educational process. The education district board further recognizes that nurturing the maturity of each student is of primary importance and is closely linked with the balance that must be maintained between authority and self-discipline as the individual progresses from a child's dependence on authority to the more mature behavior of self-control.

All students are entitled to learn and develop in a setting which promotes respect of self, others, and property. Proper positive discipline can only result from an environment which provides options and stresses student self-direction, decision-making, and responsibility. Education districts can function effectively only with internal discipline based on mutual understanding of rights and responsibilities.

Students must conduct themselves in an appropriate manner that maintains a climate in which learning can take place. Overall decorum affects student attitudes and influences student behavior. Proper student conduct is necessary to facilitate the education process and to create an atmosphere conducive to high student achievement.

Although this policy emphasizes the development of self-discipline, it is recognized that there are instances when it will be necessary to administer disciplinary measures. The position of the education district is that a fair and equitable district-wide student discipline policy will contribute to the quality of the student's educational experience. This discipline policy is adopted in accordance with and subject to the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.

In view of the foregoing and in accordance with Minn. Stat. § 121A.55, the education district board, with the participation of education district administrators, teachers,

- F. Parents or Legal Guardians. Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with education district authorities and to participate regarding the behavior of their children.
- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

#### **IV. STUDENT RIGHTS**

All students have the right to an education and the right to learn.

#### **V. STUDENT RESPONSIBILITIES**

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All students have the responsibility:

- A. For their behavior and for knowing and obeying all education district rules, regulations, policies, and procedures;
- B. To attend school daily, except when excused, and to be on time to all classes and other education district functions;
- C. To pursue and attempt to complete the courses of study prescribed by the state and local education district authorities;
- D. To make necessary arrangements for making up work when absent from school;
- E. To assist the education district staff in maintaining a safe school for all students;
- F. To be aware of all education district rules, regulations, policies, and procedures, including those in this policy, and to conduct themselves in accord with them;
- G. To assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect;
- H. To be aware of and comply with federal, state, and local laws;
- I. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with education district staff as appropriate;
- J. To respect and maintain the education district's property and the property of others;
- K. To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable education

6. Violation of the education district's Student Attendance Policy;
7. Opposition to authority using physical force or violence;
8. Using, possessing, or distributing tobacco, tobacco-related devices, electronic cigarettes, or tobacco paraphernalia in violation of the education district's Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices Policy;
9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances (except as prescribed by a physician), or look-alike substances (these prohibitions include medical marijuana or medical cannabis, even when prescribed by a physician, and one student sharing prescription medication with another student);
11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
13. Violation of the education district's Weapons Policy;
14. Violation of the education district's Violence Prevention Policy;
15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the education district;

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education district by any method including, but not limited to, computer access or other electronic means;

34. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;
35. Impertinent or disrespectful words, symbols, acronyms, or language, whether oral or written, related to teachers or other education district personnel;
36. Violation of the education district's Harassment and Violence Policy;
37. Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise endangers the health, safety, or welfare of teachers, students, other education district personnel, or other persons;
38. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
39. Violations against persons, including, but not limited to, assault or threatened assault, fighting, harassment, interference or obstruction, attack with a weapon, or look-alike weapon, sexual assault, illegal or inappropriate sexual conduct, or indecent exposure;
40. Verbal assaults or verbally abusive behavior including, but not limited to, use of words, symbols, acronyms, or language, whether oral or written, that are discriminatory, abusive, obscene, threatening, intimidating, degrading to other people, or threatening to education district property;
41. Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;
42. Inappropriate, abusive, threatening, or demeaning actions based on race, color, creed, religion, sex, marital status, status with regard to public assistance, disability, national origin, or sexual orientation;
43. Violation of the education district's Distribution of Nonschool-Sponsored Materials on Education district Premises by Students and Employees Policy;
44. Violation of the education district's one-to-one device rules and regulations;
45. Violation of education district rules, regulations, policies, or procedures, including, but not limited to, those policies specifically enumerated in this policy;

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- L. Referral to community resources or outside agency services;
- M. Financial restitution;
- N. Referral to police, other law enforcement agencies, or other appropriate authorities;
- O. A request for a petition to be filed in district court for juvenile delinquency adjudication;
- P. Out-of-school suspension under the Pupil Fair Dismissal Act;
- Q. Preparation of an admission or readmission plan;
- R. Saturday school;
- S. Expulsion under the Pupil Fair Dismissal Act;
- T. Exclusion under the Pupil Fair Dismissal Act; and/or
- U. Other disciplinary action as deemed appropriate by the education district.

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#### **VIII. REMOVAL OF STUDENTS FROM CLASS**

- A. The teacher of record shall have the general control and government of the classroom. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, assigning detention or other consequences, or contacting the student's parents. When such measures fail, or when the teacher determines it is otherwise appropriate based upon the student's conduct, the teacher shall have the authority to remove the student from class pursuant to the procedures established by this discipline policy. "Removal from class" and "removal" mean any actions taken by a teacher, principal, or other education district employee to prohibit a student from attending a class or activity period for a period of time not to exceed five (5) days, pursuant to this discipline policy.

Grounds for removal from class shall include any of the following:

1. Willful conduct that significantly disrupts the rights of others to an education, including conduct that interferes with a teacher's ability to teach or communicate effectively with students in a class or with the ability of other students to learn;
2. Willful conduct that endangers surrounding persons, including education district employees, the student or other students, or the property of the education district;
3. Willful violation of any education district rules, regulations, policies or procedures, including the Code of Student Conduct in this policy; or

2. *Actions or approvals required such as notes, conferences, readmission plans.*

**F. *Procedures for Notification.***

1. *Specify procedures for notifying students and parents/guardians of violations of the rules of conduct and resulting disciplinary action;*
2. *Actions or approvals required, such as notes, conferences, readmission plans.*

**G. *Disabled Students; Special Provisions.***

1. *Procedures for consideration of whether there is a need for further assessment;*
2. *Procedures for consideration of whether there is a need for a review of the adequacy of the current Individualized Education Program (IEP) of a disabled student who is removed from class or disciplined; and*
3. *Any procedures determined appropriate for referring students in need of special education services to those services.*

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**H. *Procedures for Detecting and Addressing Chemical Abuse Problems of Students While on Education district Premises.***

1. *Establishment of a chemical abuse preassessment team pursuant to Minn. Stat. § 121A.26;*
2. *Establishment of teacher reporting procedures to the chemical abuse preassessment team pursuant to Minn. Stat. § 121A.29.*

**I. *Procedures for Immediate and Appropriate Interventions Tied to Violations of the Code of Student Conduct.***

**J. *Any Procedures Determined Appropriate for Encouraging Early Involvement of Parents or Guardians in Attempts to Improve a Student's Behavior.***

**K. *Any Procedures Determined Appropriate for Encouraging Early Detection of Behavioral Problems.***

**IX. DISMISSAL**

- A. "Dismissal" means the denial of the current educational program to any student, including exclusion, expulsion and suspension. Dismissal does not include removal from class.

include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. Education district administration must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a education district-related activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect. The education district administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the education district is in the process of initiating an expulsion, in which case the education district administration may extend the suspension to a total of fifteen (15) days.

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4. A child with a disability may be suspended. When a child with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law, relevant members of the child's IEP team, including at least one of the child's teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the child's IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6<sup>th</sup>) consecutive day of suspension or the tenth (10<sup>th</sup>) cumulative day of suspension has elapsed.
5. The education district administration shall implement alternative educational services when the suspension exceeds five (5) days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minn. Stat. § 123A.05 selected to allow the student to progress toward meeting graduation standards under Minn. Stat. § 120B.02, although in a different setting.
6. The education district administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property, in which case the conference shall take place as soon as practicable following the

district board.

2. “Exclusion” means an action taken by the education district board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the education district board.
3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§121A.40-121A.56.
4. No expulsion or exclusion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent or guardian.
5. The student and parent or guardian shall be provided written notice of the education district’s intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56; describe alternative educational services accorded the student in an attempt to avoid the expulsion proceedings; and inform the student and parent or guardian of their right to: (1) have a representative of the student’s own choosing, including legal counsel at the hearing; (2) examine the student’s records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The education district shall advise the student’s parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from the Minnesota Department of Education (MDE).
6. The hearing shall be scheduled within ten (10) days of the service of the written notice unless an extension, not to exceed five (5) days, is requested for good cause by the education district, student, parent, or guardian.
7. All hearings shall be held at a time and place reasonably convenient to the student, parent, or guardian and shall be closed, unless the student, parent, or guardian requests an open hearing.
8. The education district shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.
9. The student shall have a right to a representative of the student’s own choosing, including legal counsel, at the student’s sole expense. The education district shall advise the student’s parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from MDE. The education district board may appoint an attorney to represent the education district in any proceeding.

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calendar days of education district board action pursuant to Minn. Stat. § 121A.49. The decision of the education district board shall be implemented during the appeal to the Commissioner.

19. The education district shall report any suspension, expulsion or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.
20. The education district must report, through the MDE electronic reporting system, each expulsion or exclusion within thirty (30) days of the effective date of the action to the Commissioner. This report must include a statement of alternative educational services given the student and the reason for, the effective date, and the duration of the exclusion or expulsion. The report must also include the student's age, grade, gender, race, and special education status. The dismissal report must include state student identification numbers of affected students.
21. Whenever a student fails to return to school within ten (10) school days of the termination of dismissal, a education district administrator shall inform the student and his/her parent or guardian by mail of the student's right to attend and to be reinstated in the education district.

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## **X. ADMISSION OR READMISSION PLAN**

A education district administrator shall prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan may include measures to improve the student's behavior, including completing a character education program consistent with Minn. Stat. § 120B.232, Subd. 1, and require parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving the student's behavior. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

## **XI. NOTIFICATION OF POLICY VIOLATIONS**

Notification of any violation of this policy and resulting disciplinary action shall be as provided herein, or as otherwise provided by the Pupil Fair Dismissal Act or other applicable law. The teacher, principal or other education district official may provide additional notification as deemed appropriate.

In addition, the education district must report, through the MDE electronic reporting system, each physical assault of a education district employee by a student within thirty (30) days of the assault. This report must include a statement of the alternative educational services or other sanction, intervention, or resolution given to the student in response to the assault and the reason for, the effective date, and the duration of the exclusion or expulsion or other sanction, intervention, or resolution. The report must also include the student's age, grade, gender, race, and special education status.

## **XII. STUDENT DISCIPLINE RECORDS**

made available to all students and parents at the commencement of each school year and to all new students and parents upon enrollment. This policy shall also be available upon request in each principal's office.

## **XVI. REVIEW OF POLICY**

The principal and representatives of parents, students and staff in each education district building shall confer at least annually to review this discipline policy, determine if the policy is working as intended, and to assess whether the discipline policy has been enforced. Any recommended changes shall be submitted to the executive director for consideration by the education district board, which shall conduct an annual review of this policy.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 120B.02 (Educational Expectations for Minnesota Students)  
Minn. Stat. § 120B.232 (Character Development Education) 243  
Minn. Stat. § 121A.26 (School Preassessment Teams)  
Minn. Stat. § 121A.29 (Reporting; Chemical Abuse)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.575 (Alternatives to Pupil Suspension)  
Minn. Stat. § 121A.582 (Reasonable Force)  
Minn. Stat. §§ 121A.60-121A.61 (Removal from Class)  
Minn. Stat. § 122A.42 (General Control of Schools)  
Minn. Stat. § 123A.05 (Area Learning Center Organization)  
Minn. Stat. § 124D.03 (Enrollment Options Program)  
Minn. Stat. § 124D.08 (Enrollment in Nonresident District)  
Minn. Stat. Ch.125A (Students with Disabilities)  
Minn. Stat. § 152.22 (Medical Cannabis; Definitions)  
Minn. Stat. § 152.23 (Medical Cannabis; Limitations)  
Minn. Stat. Ch. 260A (Truancy)  
Minn. Stat. Ch. 260C (Juvenile Court Act)  
20 U.S.C. §§ 1400-1487 (Individuals with Disabilities Education Improvement Act of 2004)  
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)  
34 C.F.R. § 300.530(e)(1) (Manifestation Determination)

**Cross References:** MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 419 (Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices)  
MSBA/MASA Model Policy 501 (School Weapons)  
MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)  
MSBA/MASA Model Policy 503 (Student Attendance)  
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)  
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)



# GOODHUE COUNTY EDUCATION DISTRICT #6051

395 Guernsey Lane, Red Wing, MN 55066 • Phone 651.388.4441 • Fax 651.388.9557

Member Districts: Cannon Falls #252 • Goodhue #253 • Kenyon-Wanamingo #2172 • Lake City #813 • Red Wing #256 • Zumbrota-Mazeppa #2805

## NOTICE OF SUSPENSION

(Date)

(Name of Parent or Guardian)

(Address)

(City, State, Zip)

Dear (Parent or Guardian)

(Name of Student) has been suspended from (name of school) for (number of days) commencing on (date).

The grounds for suspension are:

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Briefly, the facts that have been determined are:

The testimony received was:

An administrative conference to determine the above was conducted before

\_\_\_\_\_, at \_\_\_\_\_ on \_\_\_\_\_  
(Name of Administrator) (Time) (Date)

pursuant to Minn. Stat. §§ 121A.40-121A.56, a copy of which is enclosed.

The plan of readmission is:

Alternative educational services in the form of homework will be available to be picked up at the school after \_\_\_\_\_ [date] \_\_\_\_\_.

While suspended, the student may not come on any school campus except with you for the purpose of discussing conduct.

If you have any questions, please call.

Sincerely,

\_\_\_\_\_  
Administrator

**Enc: Minn. Stat. §§ 121A.40-121A.56**

## 516 STUDENT MEDICATION

*[Note: The necessary provisions for complying with Minn. Stat. §§ 121A.22, Administration of Drugs and Medicine, 121A.221, Possession and Use of Asthma Inhalers by Asthmatic Students, and 121A.222, Possession and Use of Nonprescription Pain Relievers by Secondary Students are included in this policy. The statutes do not regulate administration of drugs and medicine for students age 18 and over or other nonprescription medications. Please note that §121A.22 does not require school districts to apply the administration of medication rule to drugs or medicine used off school grounds, drugs or medicines used in connection with athletics or extra-curricular activities, and drugs and medicines that are used in connection with activities that occur before or after the regular school day.]*

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### I. PURPOSE

The purpose of this policy is to set forth the provisions that must be followed when administering nonemergency prescription medication to students at school.

### II. GENERAL STATEMENT OF POLICY

The education district acknowledges that some students may require prescribed drugs or medication during the school day. The education district's licensed school nurse, trained health clerk, principal, or teacher will administer prescribed medications, except any form of medical cannabis, in accordance with law and education district procedures.

### III. REQUIREMENTS

- A. The administration of prescription medication or drugs at school requires a completed signed request from the student's parent. An oral request must be reduced to writing within two school days, provided that the school district may rely on an oral request until a written request is received.
- B. An "Administering Prescription Medications" form must be completed annually (once per school year) and/or when a change in the prescription or requirements for administration occurs. Prescription medication as used in this policy does not include any form of medical cannabis as defined in Minn. Stat. § 152.22, Subd. 6.
- C. Prescription medication must come to school in the original container labeled for the student by a pharmacist in accordance with law, and must be administered in a manner consistent with the instructions on the label.
- D. The school nurse may request to receive further information about the prescription, if needed, prior to administration of the substance.

- E. Prescription medications are not to be carried by the student, but will be left with the appropriate school district personnel. Exceptions to this requirement are: prescription asthma medications self-administered with an inhaler (See Part J.5. below), and medications administered as noted in a written agreement between the education district and the parent or as specified in an IEP (individualized education program), Section 504 plan, or IHP (individual health plan).
- F. The school must be notified immediately by the parent or student 18 years old or older in writing of any change in the student's prescription medication administration. A new medical authorization or container label with new pharmacy instructions shall be required immediately as well.
- G. For drugs or medicine used by children with a disability, administration may be as provided in the IEP, Section 504 plan or IHP.
- H. The school nurse, or other designated person, shall be responsible for the filing of the Administering Prescription Medications form in the health records section of the student file. The school nurse, or other designated person, shall be responsible for providing a copy of such form to the principal and to other personnel designated to administer the medication.
- I. Procedures for administration of drugs and medicine at school and school activities shall be developed in consultation with a school nurse, a licensed school nurse, or a public or private health organization or other appropriate party (if appropriately contracted by the education district under Minn. Stat. § 121A.21). The education district administration shall submit these procedures and any additional guidelines and procedures necessary to implement this policy to the education district board for approval. Upon approval by the education district board, such guidelines and procedures shall be an addendum to this policy.

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J. If the administration of a drug or medication described in this section requires the education district to store the drug or medication, the parent or legal guardian must inform the school if the drug or medication is a controlled substance. For a drug or medication that is not a controlled substance, the request must include a provision designating the education district as an authorized entity to transport the drug or medication for the purpose of destruction if any unused drug or medication remains in the possession of school personnel. For a drug or medication that is a controlled substance, the request must specify that the parent or legal guardian is required to retrieve the drug or controlled substance when requested by the school.

JK. Specific Exceptions:

1. Special health treatments and health functions such as catheterization, tracheostomy suctioning, and gastrostomy feedings do not constitute administration of drugs and medicine;
2. Emergency health procedures, including emergency administration of drugs

and medicine are not subject to this policy;

3. Drugs or medicine provided or administered by a public health agency to prevent or control an illness or a disease outbreak are not governed by this policy;
4. Drugs or medicines used at school in connection with services for which a minor may give effective consent are not governed by this policy;
5. Drugs or medicines that are prescription asthma or reactive airway disease medications can be self-administered by a student with an asthma inhaler if:
  - a. the education district has received a written authorization from the pupil's parent permitting the student to self-administer the medication;
  - b. the inhaler is properly labeled for that student; and
  - c. the parent has not requested school personnel to administer the medication to the student.

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The parent must submit written authorization for the student to self-administer the medication each school year. In a school that does not have a school nurse or school nursing services, the student's parent or guardian must submit written verification from the prescribing professional which documents that an assessment of the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting has been completed.

If the education district employs a school nurse or provides school nursing services under another arrangement, the school nurse or other appropriate party must assess the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting and enter into the student's school health record a plan to implement safe possession and use of asthma inhalers;

6. **Nonprescription Medication.** A secondary student may possess and use nonprescription pain relief in a manner consistent with the labeling, if the education district has received written authorization from the student's parent or guardian permitting the student to self-administer the medication. The parent or guardian must submit written authorization for the student to self-administer the medication each school year. The education district may revoke a student's privilege to possess and use nonprescription pain relievers if the education district determines that the student is abusing the privilege. This provision does not apply to the possession or use of any drug or product containing ephedrine or pseudoephedrine as its sole active ingredient or as one of its active ingredients. Except as stated in this

paragraph, only prescription medications are governed by this policy.

7. At the start of each school year or at the time a student enrolls in school, whichever is first, a student's parent, school staff, including those responsible for student health care, and the prescribing medical professional must develop and implement an individualized written health plan for a student who is prescribed epinephrine auto-injectors that enables the student to:
  - a. possess epinephrine auto-injectors; or
  - b. if the parent and prescribing medical professional determine the student is unable to possess the epinephrine, have immediate access to epinephrine auto-injectors in close proximity to the student at all times during the instructional day.

The plan must designate the school staff responsible for implementing the student's health plan, including recognizing anaphylaxis and administering epinephrine auto-injectors when required, consistent with state law. This health plan may be included in a student's § 504 plan.

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8. A student may possess and apply a topical sunscreen product during the school day while on school property or at a school-sponsored event without a prescription, physician's note, or other documentation from a licensed health care professional. School personnel are not required to provide sunscreen or assist students in applying sunscreen.

| KL. "Parent" for students 18 years old or older is the student.

| LM. Districts and schools may obtain and possess epinephrine auto-injectors to be maintained and administered by school personnel to a student or other individual if, in good faith, it is determined that person is experiencing anaphylaxis regardless of whether the student or other individual has a prescription for an epinephrine auto-injector. The administration of an epinephrine auto-injector in accordance with this section is not the practice of medicine.

A district or school may enter into arrangements with manufacturers of epinephrine auto-injectors to obtain epinephrine auto-injectors at fair-market, free, or reduced prices. A third party, other than a manufacturer or supplier, may pay for a school's supply of epinephrine auto-injectors.

| MN. Procedure regarding unclaimed drugs or medications.

1. The education district has adopted the following procedure for the collection and transport of any unclaimed or abandoned prescription drugs or medications remaining in the possession of school personnel in accordance with this policy. Before the transportation of any prescription drug or medication under this policy, the education district shall make a reasonable attempt to return the

unused prescription drug or medication to the student's parent or legal guardian. Transportation of unclaimed or unused prescription drugs or medications will occur at least annually, but may occur more frequently at the discretion of the education district.

2. If the unclaimed or abandoned prescription drug is not a controlled substance as defined under Minnesota Statutes § 152.01, subdivision 4, or is an over-the-counter medication, the education district will either designate an individual who shall be responsible for transporting the drug or medication to a designated drop-off box or collection site or request that a law enforcement agency transport the drug or medication to a drop-off box or collection site on behalf of the education district.
3. If the unclaimed or abandoned prescription drug is a controlled substance as defined in Minnesota Statutes § 152.01, subdivision 4, the education district or education personnel is prohibited from transporting the prescription drug to a drop-off box or collection site for prescription drugs identified under this paragraph. The education district must request that a law enforcement agency transport the prescription drug or medication to a collection bin that complies with Drug Enforcement Agency regulations, or if a site is not available, under the agency's procedure for transporting drugs.

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**Legal References:** Minn. Stat. § 13.32 (Student Health Data)  
Minn. Stat. § 121A.21 (Hiring of Health Personnel)  
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)  
Minn. Stat. § 121A.221 (Possession and Use of Asthma Inhalers by Asthmatic Students)  
Minn. Stat. § 121A.222 (Possession and Use of Nonprescription Pain Relievers by Secondary Students)  
Minn. Stat. § 121A.2205 (Possession and Use of Epinephrine Auto-Injectors; Model Policy)  
Minn. Stat. § 121A.2207 (Life-Threatening Allergies in Schools; Stock Supply of Epinephrine Auto-Injectors)  
Minn. Stat. § 121A.223 (Possession and Use of Sunscreen)  
Minn. Stat. § 152.01 (Definitions)  
Minn. Stat. § 151.212 (Label of Prescription Drug Containers)  
Minn. Stat. § 152.22 (Medical Cannabis; Definitions)  
Minn. Stat. § 152.23 (Medical Cannabis; Limitations)  
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Improvement Act of 2004)  
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)

**Cross References:** MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)

**522 TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS**

*[Note: On May 6, 2020, the U.S. Department of Education, Office for Civil Rights (OCR), released the long-awaited final rule amending Title IX regulations at 34 C.F.R. Part 106. These regulations, which go into effect on August 14, 2020, are the first Title IX regulations applicable to sexual harassment and are applicable to complaints by both school district students and employees. The extensive regulations will require districts to revise their policies and procedures with respect to sexual harassment and ensure that administration and staff are trained on the new requirements.]*

*The final rule requires school districts to provide notice of its nondiscrimination policy and grievance procedures, including how to file or report sexual harassment and how the school district will respond to the following groups: applicants for admission and employment; students; parents or legal guardians; and unions or professional organizations holding agreements with the school district. 34 C.F.R. § 106.8(b). The provisions of this policy generally conform to the requirements of the new regulations].*

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**I. GENERAL STATEMENT OF POLICY**

- A. The education district does not discriminate on the basis of sex in its education programs or activities, and it is required by Title IX of the Education Amendments Act of 1972, and its implementing regulations, not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The education district is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.
- B. The education district prohibits sexual harassment that occurs within its education programs and activities. When the education district has actual knowledge of sexual harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.
- C. This policy applies to sexual harassment that occurs within the education district's education programs and activities and that is committed by an education district employee, student, or other members of the school community. This policy does not apply to sexual harassment that occurs off school grounds, in a private setting, and outside the scope of the education district's education programs and activities. This policy does not apply to sexual harassment that occurs outside the geographic boundaries of the United States, even if the sexual harassment occurs in the education district's education programs or activities.

- D. Any student, parent, or guardian having questions regarding the application of Title IX and its regulations and/or this policy and grievance process should discuss them with the Title IX Coordinator. The education district's Title IX Coordinator is:

Nicole Bolduan, Assistant Director/Principal  
River Bluff Education Center  
395 Guernsey Lane  
Red Wing, MN 55066  
651-388-4441  
nbolduan@gced.k12..m.us

Questions relating solely to Title IX and its regulations may be referred to the Title IX Coordinator(s), the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

- E. The effective date of this policy is August 14, 2020 and applies to alleged violations of this policy occurring on or after August 14, 2020.

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## II. DEFINITIONS

- A. "Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to the education district's Title IX Coordinator or to any employee of the education district. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the education district with actual knowledge is the respondent.
- B. "Complainant" means a person who is alleged to be the victim of conduct that could constitute sexual harassment under Title IX. A Title IX Coordinator who signs a formal complaint is not a complainant unless the Title IX Coordinator is alleged to be the victim of the conduct described in the formal complaint.
- C. "Day" or "days" means, unless expressly stated otherwise, business days (i.e. day(s) that the education district office is open for normal operating hours, Monday - Friday, excluding State-recognized holidays).
- A. "Deliberately indifferent" means clearly unreasonable in light of the known circumstances. The education district is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.
- B. "Education program or activity" means locations, events, or circumstances for which the education district exercises substantial control over both the respondent and the context in which the sexual harassment occurs and includes education district education programs or activities that occur on or off of education district property.

- C. “Formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the education district investigate the allegation of sexual harassment.
1. A formal complaint filed by a complainant must be a physical document or an electronic submission. The formal complaint must contain the complainant’s physical or digital signature, or otherwise indicate that the complainant is the person filing the formal complaint, and must be submitted to the Title IX Coordinator in person, by mail, or by email.
  2. A formal complaint shall state that, at the time of filing the formal complaint, the complainant was participating in, or attempting to participate in, an education program or activity of the education district with which the formal complaint is filed.
- D. “Informal resolution” means options for resolving a formal complaint that do not involve a full investigation and adjudication. Informal resolution may encompass a broad range of conflict resolution strategies, including mediation or restorative justice.
- E. “Relevant questions” and “relevant evidence” are questions, documents, statements, or information that are related to the allegations raised in a formal complaint. Relevant evidence includes evidence that is both inculpatory and exculpatory. Questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant’s prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent.
- F. “Remedies” means actions designed to restore or preserve the complainant’s equal access to education after a respondent is found responsible. Remedies may include the same individualized services that constitute supportive measures, but need not be non-punitive or non-disciplinary, nor must they avoid burdening the respondent.
- G. “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment under Title IX.
- H. “Sexual harassment” means any of three types of misconduct on the basis of sex that occurs in an education district education program or activity and is committed against a person in the United States:
1. *Quid pro quo* harassment by an education district employee (conditioning the provision of an aid, benefit, or service of the education district on an

individual's participation in unwelcome sexual conduct);

2. Unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access; or
3. Any instance of sexual assault (as defined in the Clery Act, 20 U.S.C. §1092(f)(6)A(v)), dating violence, domestic violence, or stalking (as defined in the Violence Against Women Act, 34 U.S.C. §12291).

I. “Supportive measures” means individualized services provided to the complainant or respondent without fee or charge that are reasonably available, non-punitive, non-disciplinary, not unreasonably burdensome to the other party, and designed to ensure equal educational access, protect safety, and deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, alternative educational services as defined under Minn. Stat. § 121A.41, as amended, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the education district buildings or property, and other similar measures.

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J. “Title IX Personnel” means any person who addresses, works on, or assists with the education district’s response to a report of sexual harassment or formal complaint, and includes persons who facilitate informal resolutions. The following are considered Title IX Personnel:

1. “Title IX Coordinator” means an employee of the education district that coordinates the education district’s efforts to comply with and carry out its responsibilities under Title IX. The Title IX Coordinator is responsible for acting as the primary contact for the parties and ensuring that the parties are provided with all notices, evidence, reports, and written determinations to which they are entitled under this policy and grievance process. The Title IX Coordinator is also responsible for effective implementation of any supportive measures or remedies. The Title IX Coordinator must be free from conflicts of interest and bias when administering the grievance process.
2. “Investigator” means a person who investigates a formal complaint. The investigator of a formal complaint may not be the same person as the Decision-maker or the Appellate Decision-maker. The Investigator may be an education district employee, education district official, or a third party designated by the education district.
3. “Decision-maker” means a person who makes a determination regarding responsibility after the investigation has concluded. The Decision-maker cannot be the same person as the Title IX Coordinator, the Investigator, or

the Appellate Decision-maker.

4. “Appellate Decision-maker” means a person who considers and decides appeals of determinations regarding responsibility and dismissals of formal complaints. The Appellate Decision-maker cannot be the same person as the Title IX Coordinator, Investigator, or Decision-maker. The Appellate Decision-maker may be an education district employee, or a third party designated by the education district.
5. The executive director of the education district may delegate functions assigned to a specific education district employee under this policy, including but not limited to the functions assigned to the Title IX Coordinator, Investigator, Decision-maker, Appellate Decision-maker, and facilitator of informal resolution processes, to any suitably qualified individual and such delegation may be rescinded by the executive director at any time. The education district may also, in its discretion, appoint suitably qualified persons who are not education district employees to fulfill any function under this policy, including, but not limited to, Investigator, Decision-maker, Appellate Decision-maker, and facilitator of informal resolution processes.

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### **III. BASIC REQUIREMENTS FOR GRIEVANCE PROCESS**

#### **A. Equitable Treatment**

1. The education district shall treat complainants and respondents equitably. However, equality or parity with respect to supportive measures provided to complainants and respondents is not required.
2. The education district will not impose any disciplinary sanctions or take any other actions against a respondent that do not constitute supportive measures until it has completed this grievance process and the respondent has been found responsible.
3. The education district will provide appropriate remedies to the complainant any time a respondent is found responsible.

#### **B. Objective and Unbiased Evaluation of Complaints**

1. Title IX Personnel, including the Title IX Coordinator, Investigator, Decision-maker, and Appellate Decision-maker, shall be free from conflicts of interest or bias for or against complainants or respondents generally or a specific complainant or respondent.
2. Throughout the grievance process, Title IX Personnel will objectively evaluate all relevant evidence, inculpatory and exculpatory, and shall avoid

credibility determinations based solely on a person's status as a complainant, respondent, or witness.

- C. Title IX Personnel will presume that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

- D. Confidentiality

The education district will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, or FERPA's regulations, and State law under Minn. Stat. § 13.32 34 C.F.R. Part 99, or as required by law, or to carry out the purposes of 34 C.F.R. Part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the education district's obligation to maintain confidentiality shall not impair or otherwise affect the complainants and respondents receipt of the information to which they are entitled with respect to the investigative record and determination of responsibility).

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- E. Right to an Advisor; Right to a Support Person

Complainants and respondents have the right, at their own expense, to be assisted by an advisor of their choice during all stages of any grievance proceeding, including all meetings and investigative interviews. The advisor may be, but is not required to be, an attorney. In general, an advisor is not permitted to speak for or on behalf of a complainant or respondent, appear in lieu of complainant or respondent, participate as a witness, or participate directly in any other manner during any phase of the grievance process.

A complainant or respondent with a disability may be assisted by a support person throughout the grievance process, including all meetings and investigative interviews, if such accommodation is necessary. A support person may be a friend, family member, or any individual who is not otherwise a potential witness. The support person is not permitted to speak for or on behalf of a complainant or respondent, appear in lieu of complainant or respondent, participate as a witness, or participate directly in any other manner during any phase of the grievance process.

- F. Notice

The education district will send written notice of any investigative interviews or meetings to any party whose participation is invited or expected. The written notice

will include the date, time, location, participants, and purpose of the meeting or interview, and will be provided to allow sufficient time for the party to prepare to participate.

G. Consolidation

The education district may, in its discretion, consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

H. Evidence

1. During the grievance process, the education district will not require, allow, rely upon, or otherwise use questions or evidence that constitute or seek disclosure of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
2. The education district shall not access, consider, disclose, or otherwise use a party's medical, psychological, and similar treatment records unless the education district obtains the party's voluntary, written consent.

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I. Burden of Proof

1. The burden of gathering evidence and the burden of proof shall remain upon the education district and not upon the parties.
2. The grievance process shall use a preponderance of the evidence standard (i.e. whether it is more likely than not that the respondent engaged in sexual harassment) for all formal complaints of sexual harassment, including when education district employees are respondents.

J. Timelines

1. Any informal resolution process must be completed within thirty (30) calendar days following the parties' agreement to participate in such informal process.
2. An appeal of a determination of responsibility or of a decision dismissing a formal complaint must be received by the education district within five (5) days of the date the determination of responsibility or dismissal was provided to the parties.
3. Any appeal of a determination of responsibility or of a dismissal will be decided within thirty (30) calendar days of the day the appeal was received

by the Education District.

4. The education district will seek to conclude the grievance process, including any appeal, within 120 calendar days of the date the formal complaint was received by the Education District.
5. Although the education district strives to adhere to the timelines described above, in each case, the education district may extend the time frames for good cause. Good cause may include, without limitation: the complexity of the allegations; the severity and extent of the alleged misconduct; the number of parties, witnesses, and the types of other evidence (e.g., forensic evidence) involved; the availability of the parties, advisors, witnesses, and evidence (e.g., forensic evidence); concurrent law enforcement activity; intervening education district holidays, breaks, or other closures; the need for language assistance or accommodation of disabilities; and/or other unforeseen circumstances.

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K. Potential Remedies and Disciplinary Sanctions

1. The following is the range of possible remedies that the education district may provide a complainant and disciplinary sanctions that the education district might impose upon a respondent, following determination of responsibility: counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual or unilateral restrictions on contact between the parties, changes in work locations, leaves of absence, monitoring of certain areas of the education district buildings or property, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge.
2. If the Decision-maker determines a student-respondent is responsible for violating this policy, the Decision-maker will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the superintendent of the recommended remedies, such that an authorized administrator can consider the recommendation(s) and implement appropriate remedies in compliance with MSBA Model Policy 506 – Student Discipline. The discipline of a student-respondent must comply with the applicable provisions of Minnesota Pupil Fair Dismissal Act, the Individuals with Disabilities Education Improvement Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1972, and their respective implementing regulations.

**IV. REPORTING PROHIBITED CONDUCT**

- A. Any student who believes they have been the victim of unlawful sex discrimination or sexual harassment, or any person (including the parent of a student) with actual knowledge of conduct which may constitute unlawful sex discrimination or sexual

harassment toward a student should report the alleged acts as soon as possible to the Title IX Coordinator.

- B. Any employee of the education district who has experienced, has actual knowledge of, or has witnessed unlawful sex discrimination, including sexual harassment, or who otherwise becomes aware of unlawful sex discrimination, including sexual harassment, must promptly report the allegations to the Title IX Coordinator without screening or investigating the report or allegations.
- C. A report of unlawful sex discrimination or sexual harassment may be made at any time, including during non-business hours, and may be made in person, by mail, by telephone, or by e-mail using the Title IX Coordinator's contact information. A report may also be made by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.
- D. Sexual harassment may constitute both a violation of this policy and criminal law. To the extent the alleged conduct may constitute a crime, the Education District may report the alleged conduct to law enforcement authorities. The education district encourages complainants to report criminal behavior to the police immediately.

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#### **V. INITIAL RESPONSE AND ASSESSMENT BY THE TITLE IX COORDINATOR**

- A. When the Title IX Coordinator receives a report, the Title IX Coordinator shall promptly contact the complainant confidentially to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.
- B. The education district will offer supportive measures to the complainant whether or not the complainant decides to make a formal complaint. The education district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the education district's ability to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.
- C. If the complainant does not wish to file a formal complaint, the allegations will not be investigated by the education district unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the complainant's wishes is not clearly unreasonable in light of the known circumstances.
- D. Upon receipt of a formal complaint, the education district must provide written notice of the formal complaint to the known parties with sufficient time to prepare a response before any initial interview. This written notice must contain:

1. The allegations of sexual harassment, including sufficient details known at the time, the identities of the parties involved in the incident (if known), the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known;
2. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process;
3. A statement explaining that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney;
4. A statement that the parties may inspect and review evidence gathered pursuant to this policy;
5. A statement informing the parties of any code of conduct provision that prohibits knowingly making false statements or knowingly submitting false information; and
6. A copy of this policy.

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## **VI. STATUS OF RESPONDENT DURING PENDENCY OF FORMAL COMPLAINT**

### **A. Emergency Removal of a Student**

1. The education district may remove a student-respondent from an education program or activity of the education district on an emergency basis before a determination regarding responsibility is made if:
  - a. The education district undertakes an individualized safety and risk analysis;
  - b. The education district determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal of the student-respondent; and
  - c. The education district determines the student-respondent poses such a threat, it will so notify the student-respondent and the student-respondent will have an opportunity to challenge the decision immediately following the removal. In determining whether to impose emergency removal measures, the Title IX Coordinator shall consult related education district policies, including MSBA Model Policy 506 – Student Discipline. The education district must take into consideration applicable requirements of the Individuals with

Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973, prior to removing a special education student or Section 504 student on an emergency basis.

*[NOTE: The interrelationship between the Title IX regulations authorizing the emergency removal of student and the Minnesota Pupil Fair Dismissal Act (MPFDA) is unclear at this time. School districts should consult with legal counsel regarding the emergency removal of a student. At a minimum, it is recommended that school districts provide alternative educational services, as defined in the MPFDA, to any student so removed under the Title IX regulations.]*

B. Employee Administrative Leave

The education district may place a non-student employee on administrative leave during the pendency of the grievance process of a formal complaint. Such leave will typically be paid leave unless circumstances justify unpaid leave in compliance with legal requirements. The education district must take into consideration applicable requirements of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act prior to removing an individual with a qualifying disability.

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**VII. INFORMAL RESOLUTION OF A FORMAL COMPLAINT**

- A. At any time prior to reaching a determination of responsibility, informal resolution may be offered and facilitated by the education district at the education district's discretion, but only after a formal complaint has been received by the education district.
- B. The education district may not require as a condition of enrollment or continued enrollment, or of employment or continued employment, or enjoyment of any other right, waiver of the right to a formal investigation and adjudication of formal complaints of sexual harassment.
- C. The informal resolution process may not be used to resolve allegations that a education district employee sexually harassed a student.
- D. The education district will not facilitate an informal resolution process without both parties' agreement, and will obtain their voluntary, written consent. The education district will provide to the parties a written notice disclosing the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, the parties' right to withdraw from the informal resolution process, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

- E. At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

## VIII. DISMISSAL OF A FORMAL COMPLAINT

- A. Under federal law, the education district must dismiss a Title IX complaint, or a portion thereof, if the conduct alleged in a formal complaint or a portion thereof:
  - 1. Would not meet the definition of sexual harassment, even if proven;
  - 2. Did not occur in the education district's education program or activity; or
  - 3. Did not occur against a person in the United States.
- B. The education district may, in its discretion, dismiss a formal complaint or allegations therein if: 261
  - 1. The complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the formal complaint or allegations therein;
  - 2. The respondent is no longer enrolled or employed by the education district; or
  - 3. Specific circumstances prevent the education district from gathering sufficient evidence to reach a determination.
- C. The education district shall provide written notice to both parties of a dismissal. The notice must include the reasons for the dismissal.
- D. Dismissal of a formal complaint or a portion thereof does not preclude the education district from addressing the underlying conduct in any manner that the education district deems appropriate.

***[NOTE: For example, school districts are reminded of the obligation under Minn. Stat. § 122A.20, subd. 2, to make a mandatory report to PELSB concerning any teacher who resigns during the course of an investigation of misconduct.]***

## IX. INVESTIGATION OF A FORMAL COMPLAINT

- A. If a formal complaint is received by the Education District, the education district will assign or designate an Investigator to investigate the allegations set forth in the formal complaint.

- B. If during the course of the investigation the education district decides to investigate any allegations about the complainant or respondent that were not included in the written notice of a formal complaint provided to the parties, the education district must provide notice of the additional allegations to the known parties.
- C. When a party's participation is invited or expected in an investigative interview, the Investigator will coordinate with the Title IX Coordinator to provide written notice to the party of the date, time, location, participants, and purposes of the investigative interview with sufficient time for the party to prepare.
- D. During the investigation, the Investigator must provide the parties with an equal opportunity to present witnesses for interviews, including fact witnesses and expert witnesses, and other inculpatory and exculpatory evidence.
- E. Prior to the completion of the investigative report, the Investigator, through the Title IX Coordinator, will provide the parties and their advisors (if any) with an equal opportunity to inspect and review any evidence directly related to the allegations. The evidence shall be provided in electronic format or hard copy and shall include all relevant evidence, evidence upon which the education district does not intend to rely in reaching a determination regarding responsibility, and any inculpatory or exculpatory evidence whether obtained from a party or another source. The parties will have ten (10) days to submit a written response, which the Investigator will consider prior to completion of the investigative report.
- F. The Investigator will prepare a written investigative report that fairly summarizes the relevant evidence. The investigative report may include credibility determinations that are not based on a person's status as a complainant, respondent or witness. The education district will send the parties and their advisors (if any) a copy of the report in electronic format or hard copy, for their review and written response at least ten (10) days prior to a determination of responsibility.

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## X. DETERMINATION REGARDING RESPONSIBILITY

***[NOTE: The Title IX regulations do not require school districts to conduct live hearings as part of the decision-making phase of the grievance process. Accordingly, this Policy does not include procedures for a live hearing. If a school district desires to create such procedures, legal counsel should be consulted.]***

- A. After the education district has sent the investigative report to both parties and before the education district has reached a determination regarding responsibility, the Decision-maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness.
- B. The Decision-maker must provide the relevant questions submitted by the parties to the other parties or witnesses to whom the questions are offered, and then provide each party with the answers, and allow for additional, limited follow-up questions

from each party.

- C. The Decision-maker must explain to the party proposing the questions any decision to exclude a question as not relevant.
- D. When the exchange of questions and answers has concluded, the Decision-maker must issue a written determination regarding responsibility that applies the preponderance of the evidence standard to the facts and circumstances of the formal complaint. The written determination of responsibility must include the following:
  - 1. Identification of the allegations potentially constituting sexual harassment;
  - 2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
  - 3. Findings of fact supporting the determination;
  - 4. Conclusions regarding the application of the education district's code of conduct to the facts;
  - 5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the education district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the education district to the complainant; and
  - 6. The education district's procedures and permissible bases for the complainant and respondent to appeal and the date by which an appeal must be made.
- E. In determining appropriate disciplinary sanctions, the Decision-maker should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incident occurred.
- F. The written determination of responsibility must be provided to the parties simultaneously.
- G. The Title IX Coordinator is responsible for the effective implementation of any remedies.
- H. The determination regarding responsibility becomes final either on the date that the education district provides the parties with the written determination of the result

of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

## **XI. APPEALS**

- A. The education district shall offer the parties an opportunity to appeal a determination regarding responsibility or the education district's dismissal of a formal complaint or any allegations therein, on the following bases:
1. A procedural irregularity that affected the outcome of the matter (e.g., a material deviation from established procedures);
  2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
  3. The Title IX Coordinator, Investigator, or Decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
- B. If notice of an appeal is timely received by the education district, the education district will notify the parties in writing of the receipt of the appeal, assign or designate the Appellate Decision-maker, and give the parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.
- C. After reviewing the parties' written statements, the Appellate Decision-maker must issue a written decision describing the result of the appeal and the rationale for the result.
- D. The written decision describing the result of the appeal must be provided simultaneously to the parties.
- E. The decision of the Appellate Decision-maker is final. No further review beyond the appeal is permitted.

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## **XII. RETALIATION PROHIBITED**

- A. Neither the education district nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex

discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, constitutes retaliation. Retaliation against a person for making a report of sexual harassment, filing a formal complaint, or participating in an investigation, constitutes a violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

- B. Any person may submit a report or formal complaint alleging retaliation in the manner described in this policy and it will be addressed in the same manner as other complaints of sexual harassment or sex discrimination.
- C. Charging an individual with violation of education district policies for making a materially false statement in bad faith in the course of a grievance proceeding under this policy shall not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

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### **XIII. TRAINING**

- A. The education district shall ensure that Title IX Personnel receive appropriate training. The training shall include instruction on:
  - 1. The Title IX definition of sexual harassment;
  - 2. The scope of the education district's education program or activity;
  - 3. How to conduct an investigation and grievance process, appeals, and informal resolution processes, as applicable;
  - 4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;
  - 5. For Decision-makers, training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's prior sexual behavior are not relevant; and
  - 6. For Investigators, training on issues of relevance, including the creation of an investigative report that fairly summarizes relevant evidence.
- B. The training materials will not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints.
- C. Materials used to train Title IX Personnel must be posted on the education district's website. If the education district does not have a website, it must make the training

materials available for public inspection upon request.

#### **XIV. DISSEMINATION OF POLICY**

- A. This policy shall be made available to all students, parents/guardians of students, education district employee, and employee unions.
- B. The education district shall conspicuously post the name of the Title IX Coordinator, including office address, telephone number, and work e-mail address on its website and in each handbook that it makes available to parents, employees, students, unions, or applicants.
- C. The education district must provide applicants for admission and employment, students, parents or legal guardians of secondary education students, employees, and all unions holding collective bargaining agreements with the education district, with the following:
  - 1. The name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator;
  - 2. Notice that the education district does not discriminate on the basis of sex in the education program or activity that it operates, and that it is required by Title IX not to discriminate in such a manner;
  - 3. A statement that the requirement not to discriminate in the education program or activity extends to admission and employment, and that inquiries about the application of Title IX may be referred to the Title IX Coordinator, to the Assistant Secretary for Civil Rights of the United States Department of Education, or both; and
  - 4. Notice of the education district's grievance procedures and grievance process contained in this policy, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the education district will respond.

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#### **XV. RECORDKEEPING**

- A. The education district must create, and maintain for a period of seven calendar years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the education district must document:
  - 1. The basis for the education district's conclusion that its response to the report or formal complaint was not deliberately indifferent;
  - 2. The measures the education district has taken that are designed to restore or

preserve equal access to the education district's education program or activity; and

3. If the education district does not provide a complainant with supportive measures, then it must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. Such a record must be maintained for a period of seven years.
4. The documentation of certain bases or measures does not limit the recipient in the future from providing additional explanations or detailing additional measures taken.

B. The education district must also maintain for a period of seven calendar years records of:

1. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the recipient's education program or activity;
2. Any appeal and the result therefrom;
3. Any informal resolution and the result therefrom; and
4. All materials used to train Title IX Personnel.

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**Legal References:** Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)  
Minn. Stat. § 121A.40 – 121A.575 (Minnesota Pupil Fair Dismissal Act)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)  
34 C.F.R. Part 106 (Implementing Regulations of Title IX)  
20 U.S.C. § 1400, *et seq.* (Individuals with Disabilities Education Improvement Act of 2004)  
29 U.S.C. § 794 (Section 504 of the Rehabilitation Act of 1973)  
42 U.S.C. § 12101, *et seq.* (Americans with Disabilities Act of 1990, as amended)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act of 1974)  
20 U.S.C. § 1092 *et seq.* (Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (“Clery Act”))

**Cross References:** MSBA/MASA Model Policy 102 (Equal Educational Opportunity)  
MSBA/MASA Model Policy 413 (Harassment and Violence)

MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 528 (Student Parental, Family, and Marital  
Status Nondiscrimination)

INDEPENDENT SCHOOL DISTRICT NO. 6051

SEX NONDISCRIMINATION REPORTING FORM

General Statement of Policy Prohibiting Sex Nondiscrimination

Education District No. 6051 maintains a firm policy prohibiting all forms of sex nondiscrimination. All persons are to be treated with respect and dignity. Sex nondiscrimination by any teacher, administrator or other school personnel will not be tolerated under any circumstances.

Complainant: \_\_\_\_\_

Home Address: \_\_\_\_\_

Work Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Date of Alleged Incident(s): \_\_\_\_\_

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Name of person you believe discriminated toward you or a student on the basis of sex: \_\_\_\_\_

If the alleged sex nondiscrimination was toward another person, identify that person: \_\_\_\_\_

Describe the incident(s) as clearly as possible, including such things as: what force, if any, was used; any verbal statements (i.e. threats, requests, demands, etc.); what, if any, physical contact was involved; etc. (Attach additional pages if necessary): \_\_\_\_\_

Where and when did the incident(s) occur?: \_\_\_\_\_

List any witnesses that were present: \_\_\_\_\_

This complaint is filed based on my honest belief that \_\_\_\_\_ has discriminated against me or a person on the basis of sex. I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge and belief.

\_\_\_\_\_  
(Complainant Signature)

\_\_\_\_\_  
(Date)

Received by: \_\_\_\_\_

\_\_\_\_\_  
(Date)

Adopted: 6/27/13

MSBA/MASA Model Policy 523

Orig. 1995

Revised: 7/25/19; 6/23/21

Rev. 20192020

## 523 POLICIES INCORPORATED BY REFERENCE

### PURPOSE

Certain policies as contained in the education district's policies are applicable to students as well as to employees. In order to avoid undue duplication, the education district provides notice by this section of the application and incorporation by reference of the following policies which also apply to students:

Model Policy 102	Equal Educational Opportunity	
Model Policy 103	Complaints – Students, Employees, Parents, Other Persons	270
Model Policy 206	Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations	
Model Policy 211	Criminal or Civil Action Against School District, School Board Member, Employee, or Student	
Model Policy 305	Policy Implementation	
Model Policy 413	Harassment and Violence	
Model Policy 417	Chemical Use and Abuse	
Model Policy 418	Drug-Free Workplace/Drug-Free School	
Model Policy 419	Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices)	
Model Policy 420	Students and Employees with Sexually Transmitted Infections and Diseases and Certain Other Communicable Diseases and Infectious Conditions	
<del>Model Policy 511</del>	<del>Student Fundraising</del>	
<del>Model Policy 524</del>	<del>Internet Acceptable Use and Safety Policy</del>	
<del>Model Policy 525</del>	<del>Violence Prevention</del>	
Model Policy 610	Field Trips	
Model Policy 613	Graduation Requirements	
Model Policy 614	School District Testing Plan and Procedure	
Model Policy 615	Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students	
Model Policy 616	School District System Accountability	
Model Policy 707	Transportation of Public School Students	
Model Policy 708	Transportation of Nonpublic School Students	
Model Policy 709	Student Transportation Safety Policy	
Model Policy 710	Extracurricular Transportation	
Model Policy 711	Video Recording on School Buses	
Model Policy 712	Video Surveillance Other Than on Buses	
Model Policy 801	Equal Access to School Facilities	

Students are charged with notice that the above cited policies are also applicable to students; however, students are also on notice that the provisions of the various policies speak for themselves and may be applicable although not specifically listed above.

*Legal References:*

*Cross References:*

## 601 SCHOOL DISTRICT CURRICULUM AND INSTRUCTION GOALS

*[Note: Minn. Stat. § 120B.11 requires school districts to adopt a comprehensive long-term strategic plan that addresses the review of curriculum, instruction, student achievement, and assessment. MSBA/MASA Model Policies 601, 603, and 616 address these statutory requirements. In addition, MSBA/MASA Model Policies 613-615 and 617-620 provide procedures to further implement the requirements of Minn. Stat. § 120B.11.]*

### I. PURPOSE

The purpose of this policy is to establish broad curriculum parameters for the school district that encompass the Minnesota Academic Standards and federal law and are aligned with creating the world's best workforce. 272

### II. GENERAL STATEMENT OF POLICY

The policy of the education district is to establish the "world's best workforce" in which all learning in the education district should be directed and for which all education district learners should be held accountable.

### III. DEFINITIONS

- A. "Academic standard" means a summary description of student learning in a required content area or elective content area.
- B. "Benchmark" means specific knowledge or skill that a student must master to complete part of an academic standard by the end of the grade level or grade band.
- C. "Curriculum" means district or school adopted programs and written plans for providing students with learning experiences that lead to expected knowledge, skills, and career and college readiness.
- D. "Instruction" means methods of providing learning experiences that enable students to meet state and district academic standards and graduation requirements.
- E. "Performance measures" are measures to determine school district and school site progress in striving to create the world's best workforce and must include at least the following:

1. the size of the academic achievement gap and rigorous course taking, including college-level advanced placement, international baccalaureate, postsecondary enrollment options, including concurrent enrollment, other rigorous courses of study or industry certification courses or programs, and enrichment experiences by student subgroup;
  2. student performance on the Minnesota Comprehensive Assessments;
  3. high school graduation rates; and
  4. career and college readiness under Minn. Stat. § 120B.30, Subd. 1.
- F. “World’s best workforce” means striving to: meet school readiness goals; have all third-grade students achieve grade-level literacy; close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students attain career and college readiness before graduating from high school; and have all students graduate from high school.
- G. “Experiential learning” means learning for students that includes career exploration through a specific class or course or through work-based experiences such as job shadowing, mentoring, entrepreneurship, service learning, volunteering, internships, other cooperative work experience, youth apprenticeship, or employment.

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#### IV. LONG-TERM STRATEGIC PLAN

- A. The education district board, at a public meeting, shall adopt a comprehensive, long-term strategic plan to support and improve teaching and learning that is aligned with creating the world’s best workforce and includes the following:
1. clearly defined education district and school site goals and benchmarks for instruction and student achievement for all student categories identified in state and federal law;  
  
*[Note: MSBA/MASA Model Policy 601, Section IV.B. and MSBA/MASA Model Policy 616 address this requirement.]*
  2. a process to assess and evaluate each student’s progress toward meeting state and local academic standards, assess and identify students for participation in gifted and talented programs and accelerate their instruction, adopt procedures for early admission to kindergarten or first grade of gifted and talented learners which are sensitive to under-represented groups, and identify the strengths and weaknesses of instruction in pursuit of student and school success and curriculum affecting students’ progress and growth toward career and college readiness and leading to the world’s best workforce;

***[Note: MSBA/MASA Model Policy 618 addresses this requirement.]***

3. a system to periodically review and evaluate the effectiveness of all instruction and curriculum, taking into account strategies and best practices, student outcomes, principal evaluations under Minn. Stat. § 123B.147, Subd. 3, students' access to effective teachers who are members of populations under-represented among the licensed teachers in the district or school and who reflect the diversity of enrolled students under Minn. Stat. § 120B.35, Subd. 3(b)(2), and teacher evaluations under Minn. Stat. § 122A.40, Subd. 8, or 122A.41, Subd. 5;

***[Note: MSBA/MASA Model Policy 616 addresses this requirement.]***

4. strategies for improving instruction, curriculum, and student achievement, including the English and, where practicable, the native language development and the academic achievement of English learners;

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***[Note: MSBA/MASA Model Policy 616 addresses this requirement.]***

5. a process to examine the equitable distribution of teachers and strategies to ensure low-income and minority children are not taught at higher rates than other children by inexperienced, ineffective, or out-of-field teachers;
6. education effectiveness practices that integrate high-quality instruction, rigorous curriculum, technology, and a collaborative professional culture that develops and supports teacher quality, performance, and effectiveness; and
7. an annual budget for continuing to implement the school district plan.

B. Education district site and school site goals shall include the following:

1. All students will be required to demonstrate essential skills to effectively participate in lifelong learning.\* These skills include the following:

***[\*Note: The criteria for acceptable performance in basic skills areas may need to be modified for students with unique learning needs. These modifications will be reflected in the Individualized Education Program (IEP) or Rehabilitation Act Section 504 Accommodation plan.]***

- a. reading, writing, speaking, listening, and viewing in the English language;
- b. mathematical and scientific concepts;
- c. locating, organizing, communicating, and evaluating information and developing methods of inquiry (i.e., problem solving);

- d. creative and critical thinking, decision making, and study skills;
  - e. work readiness skills;
  - f. global and cultural understanding.
2. Each student will have the opportunity and will be expected to develop and apply essential knowledge that enables that student to:
- a. live as a responsible, productive citizen and consumer within local, state, national, and global political, social, and economic systems;
  - b. bring many perspectives, including historical, to contemporary issues;
  - c. develop an appreciation and respect for democratic institutions;
  - d. communicate and relate effectively in languages and with cultures other than the student's own;
  - e. practice stewardship of the land, natural resources, and environment;
  - f. use a variety of tools and technology to gather and use information, enhance learning, solve problems, and increase human productivity.
3. Students will have the opportunity to develop creativity and self-expression through visual and verbal images, music, literature, world languages, movement, and the performing arts.
4. School practices and instruction will be directed toward developing within each student a positive self-image and a sense of personal responsibility for:
- a. establishing and achieving personal and career goals;
  - b. adapting to change;
  - c. leading a healthy and fulfilling life, both physically and mentally;
  - d. living a life that will contribute to the well-being of society;
  - e. becoming a self-directed learner;
  - f. exercising ethical behavior.
5. Students will be given the opportunity to acquire human relations skills

necessary to:

- a. appreciate, understand, and accept human diversity and interdependence;
- b. address human problems through team effort;
- c. resolve conflicts with and among others;
- d. function constructively within a family unit;
- e. promote a multicultural, gender-fair, disability-sensitive society.

***[Note: School district and site goals example courtesy of the Winona School District.]***

- C. Every child is reading at or above grade level no later than the end of grade 3, including English learners, and teachers provide comprehensive, scientifically based reading instruction, including a program or collection of instructional practices that is based on valid, replicable evidence showing that, when the programs or practices are used, students can be expected to achieve, at a minimum, satisfactory reading progress. The program or collection of practices must include, at a minimum, effective, balanced instruction in all five areas of reading (phonemic awareness, phonics, fluency, vocabulary development, and reading comprehension), as well as instructional strategies for continuously assessing, evaluating, and communicating the student's reading progress and needs. 276
1. The school district must identify, before the end of kindergarten, grade 1, and grade 2, all students who are not reading at grade level. Students identified as not reading at grade level by the end of kindergarten, grade 1, and grade 2 must be screened for characteristics of dyslexia, unless a different reason for the reading difficulty has been identified.
  2. Students in grade 3 or higher who demonstrate a reading difficulty to a classroom teacher must be screened for characteristics of dyslexia, unless a different reason for the reading difficulty has been identified.

***[Note: According to Minnesota statutes, dyslexia screening is to be conducted in a locally determined manner.]***

3. Reading assessments in English and in the predominant languages of district students, where practicable, must identify and evaluate students' areas of academic need related to literacy. The education district also must monitor the progress and provide reading instruction appropriate to the specific needs of English learners. The education district must use locally adopted, developmentally appropriate, and culturally responsive

assessment and annually report summary assessment results to the Commissioner of Education by July 1.

4. The education district must annually report to the Commissioner of Education by July 1 a summary of the district's efforts to screen and identify students ~~with:~~ who demonstrate characteristics of dyslexia using screening tools such as those recommended by the Minnesota Department of Education's dyslexia specialist. With respect to students screened or identified under paragraph

a. ~~(1),~~ the report must include:

a.

i. ~~a summary of the district's efforts to screen for dyslexia;~~

i.

ii. ~~the number of students screened for that reporting year; and~~

ii.

iii. ~~the number of students demonstrating characteristics of dyslexia for that year.~~

b. ~~convergence insufficiency disorder.~~

5. A student identified as having a reading difficulty must be provided with alternate instruction under Minn. Stat. § 125A.56, Subd. 1.
6. At least annually, the education district must give the parent of each student who is not reading at or above grade level timely information about:
  - a. the student's reading proficiency as measured by a locally adopted assessment;
  - b. reading-related services currently being provided to the student and the student's progress; and
  - c. strategies for parents to use at home in helping their students succeed in becoming grade-level proficient in reading English and their native languages.

This provision may not be used to deny a student's right to a special education evaluation.

7. For each student who is not reading at or above grade level, the education district shall provide reading intervention to accelerate student growth and reach the goal of reading at or above grade level by the end of the current grade and school year. If a student does not read at or above grade level by the end of grade 3, the education district must continue to provide reading intervention until the student reads at grade level. Intervention methods shall encourage family engagement and, where possible, collaboration with appropriate school and community programs. Intervention methods may include, but are not limited to, requiring attendance in summer school, intensified reading instruction that may require that the student be removed from the regular classroom for part of the school day, extended day programs, or programs that strengthen students' cultural connections.

***[Note: School districts are strongly encouraged, but not required, to provide personal learning plans, as provided in Paragraph- 8.]***

8. The education district will provide a personal learning plan for a student who is unable to demonstrate grade-level proficiency, as measured by the statewide reading assessment in grade 3. The education district will determine the format of the personal learning plan in collaboration with the student's educators and other appropriate professionals. The education district will develop the personal learning plan in consultation with the student's parent or guardian. The personal learning plan will address knowledge gaps and skill deficiencies through strategies such as specific exercises and practices during and outside of the school day, periodic assessments, and reasonable timelines. The personal learning plan may include grade retention if it is in the student's best interest. The student's school will maintain and regularly update and modify the personal learning plan until the student reads at grade level. This paragraph does not apply to a student under an Individualized Education Program.

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***Legal References:***

Minn. Stat. § 120B.018 (Definitions)  
Minn. Stat. § 120B.02 (Educational Expectations for Minnesota Students)  
Minn. Stat. § 120B.11 (School District Process)  
Minn. Stat. § 120B.12 (Reading Proficiently no Later than the End of Grade 3)  
Minn. Stat. § 120B.30, Subd. 1 (Statewide Testing and Reporting System)  
Minn. Stat. § 120B.35, Subd. 3 (Student Academic Achievement and Growth)  
Minn. Stat. § 122A.40, Subd. 8 (Employment; Contracts; Termination)  
Minn. Stat. § 122A.41, Subd. 5 (Teacher Tenure Act; Cities of the First Class; Definitions)  
Minn. Stat. § 123B.147, Subd. 3 (Principals)  
Minn. Stat. § 125A.56, Subd. 1 (Alternate Instruction Required)  
20 U.S.C. § 5801, *et seq.* (National Education Goals 2000)  
20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)

***Cross References:*** MSBA/MASA Model Policy 104 (School District Mission Statement)  
MSBA/MASA Model Policy 613 (Graduation Requirements)  
MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)  
MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)  
MSBA/MASA Model Policy 616 (School District System Accountability)  
MSBA/MASA Model Policy 618 (Assessment of Student Achievement)

## 613 GRADUATION REQUIREMENTS

*[Note: The requirements set forth in this policy govern the graduation standards that Minnesota public schools must require for a high school diploma for all students.]*

### I. PURPOSE

The purpose of this policy is to set forth requirements for graduation from the education district.

### II. GENERAL STATEMENT OF POLICY

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The policy of the education district is that all students entering grade 8 in the ~~2011-2012~~2012-2013 school year and later must demonstrate, as determined by the education district, their satisfactory completion of the credit requirements and their understanding of academic standards. The education district must adopt graduation requirements that meet or exceed state graduation requirements established in law or rule.

### III. DEFINITIONS

- A. “Academic standard” means: (1) a statewide adopted expectation for student learning in the content areas of language arts, mathematics, science, social studies, physical education, or the arts, or (2) a locally adopted expectation for student learning in health, the arts, career and technical education, or world languages.
- B. “Credit” means a student’s successful completion of an academic year of study or a student’s mastery of the applicable subject matter, as determined by the education district.
- C. “Section 504 Accommodation” means the defined appropriate accommodations or modifications that must be made in the school environment to address the needs of an individual student with disabilities.
- D. “Individualized Education Program” or “IEP” means a written statement developed for a student eligible by law for special education and services.
- E. “English language learners” or “ELL” student means an individual whose first language is not English and whose test performance may be negatively impacted by lack of English language proficiency.

~~F. “GRAD” means the graduation required assessment for diploma that measures the reading, writing, and mathematics proficiency of high school students.~~

#### IV. DISTRICT ASSESSMENT COORDINATOR

Brian Cashman, Coordinator of Alternative Programming shall be named the District Assessment Coordinator. Said person shall be in charge of all test procedures and shall bring recommendations to the education district board annually for approval.

#### V. GRADUATION ASSESSMENT REQUIREMENTS

For students enrolled in grade 8 in the 2012-2013 school year and later, students' state graduation requirements, based on a longitudinal, systematic approach to student education and career planning, assessment, instructional support, and evaluation, include the following:

- A. Achievement and career and college readiness in mathematics, reading, and writing, as measured against a continuum of empirically derived, clearly defined benchmarks focused on students' attainment of knowledge and skills so that students, their parents, and teachers know how well students must perform to have a reasonable chance to succeed in a career or college without the need for postsecondary remediation and which facilitates the monitoring of students' continuous development of and growth in requisite knowledge and skills; analysis of students' progress and performance levels, identification of students' academic strengths and diagnosis of areas where students require curriculum or instructional adjustments, targeted interventions, or remediation; and determination of students' learning and instructional needs and the instructional tools and best practices that support academic rigor for the student based on analysis of students' progress and performance data; and
- B. Consistent with this paragraph and Minn. Stat. § 120B.125 (*see Policy 604, Section II.H.*), age-appropriate exploration and planning activities and career assessments to encourage students to identify personally relevant career interests and aptitudes and help students and their families develop a regularly reexamined transition plan for postsecondary education or employment without need for postsecondary remediation.
- C. Based on appropriate state guidelines, students with an IEP may satisfy state graduation requirements by achieving an individual score on the state-identified alternative assessments.
- D. Students meeting the state graduation requirements under this section must receive targeted, relevant, academically rigorous, and resourced instruction which may include a targeted instruction and intervention plan focused on improving the student's knowledge and skills in core subjects so that the student has a reasonable chance to succeed in a career or college without need for postsecondary remediation.
- E. Students meeting the state graduation requirements under this section and who are students in grade 11 or 12 and who are identified as academically ready for a

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career or college are actively encouraged by the education district to participate in courses and programs awarding college credit to high school students. Students are not required to achieve a specified score or level of proficiency on an assessment to graduate from high school.

- F. A student's progress toward career and college readiness must be recorded on the student's high school transcript.

## VI. GRADUATION CREDIT REQUIREMENTS

Students beginning 8<sup>th</sup> grade in the 2012-2013 school year and later must successfully complete, as determined by the education district, the following high school level credits for graduation:

- A. Four credits of language arts sufficient to satisfy all academic standards in English language arts;
- B. Three credits of mathematics, including an algebra II credit or its equivalent, sufficient to satisfy all of the academic standards in mathematics;
- C. An algebra I credit by the end of 8<sup>th</sup> grade sufficient to satisfy all of the 8<sup>th</sup> grade standards in mathematics;
- D. Three credits of science, including at least: (a) one credit of biology; (b) one credit of chemistry or physics; and (c) one elective credit of science. The combination of credits must be sufficient to satisfy (i) all of the academic standards in either chemistry or physics and (ii) all other academic standards in science;
- E. Three and one-half credits of social studies, encompassing at least United States history, geography, government and citizenship, world history, and economics sufficient to satisfy all of the academic standards in social studies;
- F. One credit in the arts sufficient to satisfy all of the state or local academic standards in the arts; and
- G. A minimum of seven elective credits.
- H. Credit equivalencies
  - 1. A one-half credit of economics taught in a school's agriculture education or business department may fulfill a one-half credit in social studies under Paragraph E., above, if the credit is sufficient to satisfy all of the academic standards in economics.
  - 2. An agriculture science or career and technical education credit may fulfill the elective science credit required under Paragraph D., above, if the credit meets the state physical science, life science, earth and space science,

chemistry, or physics academic standards or a combination of these academic standards as approved by the education district. An agriculture or career and technical education credit may fulfill the credit in chemistry or physics required under Paragraph D., above, if the credit meets the state chemistry or physics academic standards as approved by the education district. A student must satisfy either all of the chemistry or physics academic standards prior to graduation. An agriculture science or career and technical education credit may not fulfill the required biology credit under Paragraph D., above.

3. A career and technical education credit may fulfill a mathematics or arts credit requirement under Paragraph B. or Paragraph F., above.
4. A computer science credit may fulfill a mathematics credit requirement under Paragraph B., above, if the credit meets state academic standards in mathematics.
5. A Project Lead the Way credit may fulfill a mathematics or science credit requirement under Paragraph B. or Paragraph D., above, if the credit meets the state academic standards in mathematics or science.

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## **VII. GRADUATION STANDARDS REQUIREMENTS**

- A. All students must demonstrate their understanding of the following academic standards:
  1. School District Standards, Health (K-12);
  2. School District Standards, Career and Technical Education (K-12); and
  3. School District Standards, World Languages (K-12).
- B. Academic standards in health, world languages, and career and technical education will be reviewed on an annual basis.\* A school district must use the current world languages standards developed by the American Council on the Teaching of Foreign Languages.

\* Reviews are required to be conducted on a periodic basis. Therefore, this time period may be changed to accommodate individual school district needs.
- C. All students must satisfactorily complete the following required Graduation Standards in accordance with the standards developed by the Minnesota Department of Education (MDE):
  1. Minnesota Academic Standards, English Language Arts K-12;
  2. Minnesota Academic Standards, Mathematics K-12;

3. Minnesota Academic Standards, Science K-12;
  4. Minnesota Academic Standards, Social Studies K-12; and
  5. Minnesota Academic Standards, Physical Education K-12.
- D. State standards in the Arts K-12 are available, or school districts may choose to develop their own standards.
- E. The academic standards for language arts, mathematics, and science apply to all students except the very few students with extreme cognitive or physical impairments for whom an IEP team has determined that the required academic standards are inappropriate. An IEP team that makes this determination must establish alternative standards.

### VIII. EARLY GRADUATION

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Students may be considered for early graduation, as provided for within Minn. Stat. § 120B.07, upon meeting the following conditions:

- A. All course or standards and credit requirements must be met;
- B. The principal or designee shall conduct an interview with the student and parent or guardian, familiarize the parties with opportunities available in post-secondary education, and arrive at a timely decision; and
- C. The principal's decision shall be in writing and may be subject to review by the executive director and education district board.

**Legal References:** Minn. Stat. § 120B.02 (Educational Expectations for Minnesota's Students)  
Minn. Stat. § 120B.018 (Definitions)  
Minn. Stat. § 120B.021 (Required Academic Standards)  
Minn. Stat. § 120B.023 (Benchmarks)  
Minn. Stat. § 120B.024 (Graduation Requirements; Course Credits)  
Minn. Stat. § 120B.07 (Early Graduation)  
Minn. Stat. § 120B.11 (School District Process)  
Minn. Stat. § 120B.125 (Planning for Students' Successful Transition to Postsecondary Education and Employment; Involuntary Career Tracking Prohibited)  
Minn. Stat. § 120B.30 (Statewide Testing and Reporting System)  
Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)  
Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)  
Minn. Rules Parts 3501.0800-3501.0815 (Academic Standards for the Arts)  
Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)

Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)

Minn. Rules Parts 3501.1400-3501.1410 (Academic Standards for Physical Education)

20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)

***Cross References:***

MSBA/MASA Model Policy 104 (School District Mission Statement)

MSBA/MASA Model Policy 601 (School District Curriculum and Instruction Goals)

MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)

MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)

MSBA/MASA Model Policy 616 (School District System Accountability)

## 615 TESTING ACCOMMODATIONS, MODIFICATIONS, AND EXEMPTIONS FOR IEPs, SECTION 504 PLANS, AND LEP STUDENTS

### I. PURPOSE

The purpose of the policy is to provide adequate opportunity for students identified as having individualized education program (IEP), Rehabilitation Act of 1973, § 504 accommodation plan (504 plan), or English Learner (EL) needs to participate in statewide assessment systems designed to hold schools accountable for the academic performance of all students.

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### II. GENERAL STATEMENT OF POLICY

#### A. Minnesota Test of Academic Skills (MTAS)

1. The education district will utilize the existing annual review of IEPs or 504 plans to review, on a case-by-case basis, and determine how a student with a disability will participate in statewide testing.
2. Participation decisions will be made separately for mathematics, reading, and science. The assessment options are the Minnesota Comprehensive Assessment (MCA) and the MTAS.
3. Eligibility Requirements
  - a. The following requirements must be met for a student with a significant cognitive disability to be eligible for the MTAS:
    - (1) The IEP team must consider the student's ability to access the MCA, with or without accommodations;
    - (2) The IEP must review the student's instructional program to ensure that the student is receiving instruction linked to the general education curriculum to the extent appropriate. If instruction is not linked to the general education curriculum, the IEP team must review the student's goals and determine how access to the general curriculum will be provided;

- (3) The IEP team determined the student's cognitive functioning to be significantly below age expectations. The team also determined that the student's disability has a significant impact on his or her ability to function in multiple environments, including home, school, and community;
- (4) The IEP team determined that the student needs explicit and intensive instruction and/or extensive supports in multiple settings to acquire, maintain, and generalize academic and life skills in order to actively participate in school, work, home, and community environments;
- (5) The IEP team must document, in the IEP, reasons the MCA is or is not an appropriate measure of the student's academic progress and how the student would participate in statewide testing. 287

b. MTAS participation decisions must not be made on the following factors:

- (1) Student's disability category;
- (2) Placement;
- (3) Participation in a separate, specialized curriculum;
- (4) An expectation that the student will receive a low score on the MCA;
- (5) Language, social, cultural, or economic differences;
- (6) Concern for accountability calculations.

B. Alternate ACCESS for ELs

1. The education district will utilize the existing annual review of IEPs or 504 plans to review, on a case-by-case basis, and determine how an identified EL student with a disability will participate in statewide testing.
2. Eligibility Requirements
  - a. The student must be identified as EL in MARSS in order to take an English language proficiency assessment.

- b. The student must have a significant cognitive disability. If the student has been identified as eligible to take the MTAS in mathematics, reading, or science, the student meets this criterion.
  - c. For students in grades that the MTAS is not administered:
    - (1) the student must have cognitive functioning significantly below age level;
    - (2) the student's disability must have a significant impact on his or her ability to function in multiple environments, including home, school, and community; and
    - (3) the student needs explicit and intensive instruction and/or extensive supports in multiple settings to acquire, maintain, and generalize academic and life skills in order to actively participate in school, work, home, and community environments.
  - d. The IEP team must consider the student's ability to access the ACCESS, with or without accommodations.
  - e. The IEP team must document, in the IEP, reasons the MCA is or is not an appropriate English language proficiency assessment for the student.
3. Alternate ACCESS participation decisions must not be made on the following factors:
- a. Student's disability category;
  - b. Participation in a separate, specialized curriculum;
  - c. Current level of English language proficiency;
  - d. The expectation that the student will receive a low score on the ACCESS for ELs;
  - e. Language, social, cultural, or economic differences;
  - f. Concern for accountability calculations.

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C. EL Students New to the United States

EL students new to the United States will take all assessments, including all academic assessments (math, reading, and science), as well as the English Language Proficiency Assessment (ACCESS).

### III. DEFINITION OF TERMS

See the current “Procedures Manual for the Minnesota Assessments” which is produced by the Minnesota Department of Education and available through [minnesotapearsonaccessnext.com](http://minnesotapearsonaccessnext.com).

### IV. GRANTING AND DOCUMENTING ACCOMMODATIONS, MODIFICATIONS, OR EXEMPTIONS FOR TESTING

See Chapter 5 of the current “Procedures Manual for the Minnesota Assessments” and 2017-18 Guidelines for Administration of Accommodations and Linguistic Supports ([http://minnesota.pearsonaccessnext.com/resources/resources-training/manuals/GuidelinesforAccommandLS\\_2018.pdf](http://minnesota.pearsonaccessnext.com/resources/resources-training/manuals/GuidelinesforAccommandLS_2018.pdf)).

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### V. RECORDS

All test accommodations, modifications, or exemptions shall be reported to the school district test administrator. The education district test administrator shall be responsible for keeping a list of all such test accommodations, modifications, and exemptions for school district audit purposes. Testing results will be documented and reported.

- Legal References:**
- Minn. Stat. § 120B.11 (School District Process)
  - Minn. Stat. § 120B.30 (Statewide Testing and Reporting System)
  - Minn. Stat. § 125A.08(a)(1) (Individualized Education Programs)
  - Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)
  - Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)
  - Minn. Rules Parts 3501.0800-3501.0815 (Academic Standards for the Arts)
  - Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)
  - Minn. Rules Parts 3501.1000-3501.1190 (Graduation-Required Assessment for Diploma) (repealed Minn. L. 2013, Ch. 116, Art. 2, § 22)
  - Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)
  - Minn. Rules Parts 3501.1400-3501.1410 (Academic Standards for Physical Education)

Eligibility Requirements for the Minnesota Test of Academic Skills (MTAS), <https://education.mn.gov/mdeprod/groups/educ/documents/hiddencontent/mdaw/mda2/~edisp/006087.pdf>

Alternate ACCESS for ELLs Participation Guidelines, <https://education.mn.gov/mdeprod/groups/educ/documents/hiddencontent/mdaw/mdq5/~edisp/049763.pdf>

***Cross References:*** MSBA/MASA Model Policy 104 (School District Mission Statement)  
MSBA/MASA Model Policy 601 (School District Curriculum and Instruction Goals)  
MSBA/MASA Model Policy 613 (Graduation Requirements)  
MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)  
MSBA/MASA Model Policy 616 (School District System Accountability)

## 616 EDUCATION DISTRICT SYSTEM ACCOUNTABILITY

*[Note: Minn. Stat. § 120B.11 requires education districts to adopt a comprehensive long-term strategic plan that addresses the review of curriculum, instruction, student achievement, and assessment. MSBA/MASA Model Policies 601, 603, and 616 address these statutory requirements. In addition, MSBA/MASA Model Policies 613-615 and 617-620 provide procedures to further implement the requirements of Minn. Stat. § 120B.11.]*

### I. PURPOSE

The purpose of this policy is to focus public education strategies on a process which promotes higher academic achievement for all students and ensures broad-based community participation in decisions regarding the implementation of the Minnesota Academic Standards and federal law.

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### II. GENERAL STATEMENT OF POLICY

Implementation of the Minnesota Academic Standards and federal law will require a new level of accountability for the education district. The education district will establish a system to transition to the graduation requirements of the Minnesota Academic Standards. The education district also will establish a system to review and improve instruction, curriculum, and assessment which will include substantial input by students, parents or guardians, and local community members. The education district will be accountable to the public and the state through annual reporting.

### III. DEFINITIONS

- A. “Credit” means a student’s successful completion of an academic year of study or a student’s mastery of the applicable subject matter, as determined by the education district.
- B. “Graduation Standards” means the credit requirements and locally adopted content standards or Minnesota Academic Standards that education districts must offer and certify that students complete to be eligible for a high school diploma.
- C. “World’s best workforce” means striving to: meet school readiness goals; have all third grade students achieve grade-level literacy; close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students attain career and

*[Note: The Graduation Standards Implementation Committee may be comprised of an existing committee such as the Advisory Committee for Comprehensive Continuous Improvement of Student Achievements. Regardless of whether a new committee or an existing committee is utilized, the committee should be comprised of representatives of the community, including equal representation from education district board members, students, parents, teachers, representatives of local businesses, and representatives of the community at large. Among these members should be individuals who are able to represent the needs of students throughout the district including students with special needs.]*

2. The education district board shall annually review and determine if student achievement levels at each education district site meet federal expectations. If the education district board determines that student achievement levels at a education district site do not meet federal expectations and the site has not made adequate yearly progress for two consecutive school years, the Graduation Standards Implementation Committee shall work with the education district site to adopt a plan to raise student achievement levels to meet federal expectations. The Graduation Standards Implementation Committee may seek assistance from the Commissioner of the Minnesota Department of Education (MDE) (Commissioner) in developing a plan which must include parental involvement components.
3. The educational assessment system component utilized by the education district board to measure individual students' educational progress must be based, to the extent annual tests are administered, on indicators of achievement growth that show an individual student's prior achievement. Indicators of achievement and prior achievement must be based on highly reliable statewide or districtwide assessments. The education district board will utilize models developed by the Commissioner for measuring individual student progress. The education district board must coordinate with MDE in evaluating education district sites and continuous improvement plans, consistent with best practices.

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D. Advisory Committee for Comprehensive Continuous Improvement of Student Achievement

1. By [September 1st] of each year, the Advisory Committee will meet to advise and assist the education district in the implementation of the education district system accountability and comprehensive continuous improvement process.
2. The Advisory Committee, working in cooperation with other committees of the education district [*such as the Technology, Educational Effectiveness, Grade Level, Site Instruction, Curriculum and Assessment Committees, etc.*], will provide active community participation in:

- d. Student Representative
- e. One teacher from each building or instructional level
- f. Two parents from each building or instructional level
- g. Two residents without school-aged children, non-representative of local business or industry
- h. Two residents representative of local business or industry
- i. District Assessment Coordinator (if different from “a.” above)

***[Note: This Advisory Committee composition is a model only.]***

5. Translation services should be provided to the extent appropriate and practicable. 293

6. The Advisory Committee shall meet the following timeline each year:

Month: Organizational meeting of the Committee to review the authorizing legislation and the roles and responsibilities of the Committee as determined by the education district board.

Month(s): Agree on the process to be used. Become familiar with the instruction and curriculum of the cycle content area.

Month(s): Review evaluation results and prepare recommendations.

Month: Present recommendations to the education district board for its input and approval.

E. Evaluation of Student Progress Committee. A committee of professional staff shall develop a plan for assessment of student progress toward Literacy by Grade 3, the Graduation Standards, as well as program evaluation data for use by the Advisory Committee to review instruction and curriculum, cultural competencies, including cultural awareness and cross-cultural communication, and student achievement at the education district site. This plan shall annually be approved by the education district board.

F. Reporting

1. Consistent with Minn. Stat. § 120B.36, Subd. 1, the education district board shall publish a report in the local newspaper with the largest circulation in the district, by mail, or by electronic means on the education district

Instruction Goals)

MSBA/MASA Model Policy 613 (Graduation Requirements)

MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)

MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)

MSBA/MASA Model Policy 617 (School District Ensurance of Preparatory and High School Standards)

MSBA/MASA Model Policy 618 (Assessment of Student Achievement)

MSBA/MASA Model Policy 619 (Staff Development for Standards)

MSBA/MASA Model Policy 620 (Credit for Learning)

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 616

Orig. 1997

Revised: \_\_\_\_\_

Rev. 2019

## 616 SCHOOL DISTRICT SYSTEM ACCOUNTABILITY

*[Note: Minn. Stat. § 120B.11 requires school districts to adopt a comprehensive long-term strategic plan that addresses the review of curriculum, instruction, student achievement, and assessment. MSBA/MASA Model Policies 601, 603, and 616 address these statutory requirements. In addition, MSBA/MASA Model Policies 613-615 and 617-620 provide procedures to further implement the requirements of Minn. Stat. § 120B.11.]*

### I. PURPOSE

The purpose of this policy is to focus public education strategies on a process which promotes higher academic achievement for all students and ensures broad-based community participation in decisions regarding the implementation of the Minnesota Academic Standards and federal law.

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### II. GENERAL STATEMENT OF POLICY

Implementation of the Minnesota Academic Standards and federal law will require a new level of accountability for the school district. The school district will establish a system to transition to the graduation requirements of the Minnesota Academic Standards. The school district also will establish a system to review and improve instruction, curriculum, and assessment which will include substantial input by students, parents or guardians, and local community members. The school district will be accountable to the public and the state through annual reporting.

### III. DEFINITIONS

- A. “Credit” means a student’s successful completion of an academic year of study or a student’s mastery of the applicable subject matter, as determined by the school district.
- B. “Graduation Standards” means the credit requirements and locally adopted content standards or Minnesota Academic Standards that school districts must offer and certify that students complete to be eligible for a high school diploma.
- C. “World’s best workforce” means striving to: meet school readiness goals; have all third grade students achieve grade-level literacy; close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students

board shall receive public input and comment and shall adopt or update this policy at least annually. ~~The Graduation Standards Implementation Committee [will/will not] be comprised of the Advisory Committee for Comprehensive Continuous Improvement of Student Achievement.~~

~~*[Note: The Graduation Standards Implementation Committee may be comprised of an existing committee such as the Advisory Committee for Comprehensive Continuous Improvement of Student Achievements. Regardless of whether a new committee or an existing committee is utilized, the committee should be comprised of representatives of the community, including equal representation from school board members, students, parents, teachers, representatives of local businesses, and representatives of the community at large. Among these members should be individuals who are able to represent the needs of students throughout the district including students with special needs.]*~~

2. The school board shall annually review and determine if student achievement levels at each school site meet federal expectations. If the school board determines that student achievement levels at a school site do not meet federal expectations and the site has not made adequate yearly progress for two consecutive school years, the ~~Graduation Standards Implementation~~ Advisory Committee shall work with the school site to adopt a plan to raise student achievement levels to meet federal expectations. The ~~Graduation Standards Implementation~~ Advisory Committee may seek assistance from the Commissioner of the Minnesota Department of Education (MDE) (Commissioner) in developing a plan which must include parental involvement components.
3. The educational assessment system component utilized by the school board to measure individual students' educational progress must be based, to the extent annual tests are administered, on indicators of achievement growth that show an individual student's prior achievement. Indicators of achievement and prior achievement must be based on highly reliable statewide or districtwide assessments. The school board will utilize models developed by the Commissioner for measuring individual student progress. The school board must coordinate with MDE in evaluating school sites and continuous improvement plans, consistent with best practices.

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D. ~~Advisory Committee for~~ Comprehensive Continuous Improvement of Student Achievement

1. By [ date ] of each year, the Advisory Committee will meet to advise and assist the school district in the implementation of the school district system accountability and comprehensive continuous improvement process.

parents, support staff, students, and other community residents. Included in its membership should be:

- a. The Director of Curriculum (or similar educational leader)
- b. Principal
- c. School Board Member
- d. Student Representative
- e. One teacher from each building or instructional level
- f. Two parents from each building or instructional level
- g. Two residents without school-aged children, non-representative of local business or industry
- h. Two residents representative of local business or industry
- i. District Assessment Coordinator (if different from “a.” above)

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*[Note: This Advisory Committee composition is a model only.]*

5. Translation services should be provided to the extent appropriate and practicable.
6. The Advisory Committee shall meet the following timeline each year:
  - Month: Organizational meeting of the Committee to review the authorizing legislation and the roles and responsibilities of the Committee as determined by the school board.
  - Month(s): Agree on the process to be used. Become familiar with the instruction and curriculum of the cycle content area.
  - Month(s): Review evaluation results and prepare recommendations.
  - Month: Present recommendations to the school board for its input and approval.

- E. Evaluation of Student Progress Committee. A committee of professional staff shall develop a plan for assessment of student progress toward Literacy by Grade 3, the Graduation Standards, as well as program evaluation data for use by the Advisory Committee to review instruction and curriculum, cultural competencies, including cultural awareness and cross-cultural communication, and student

Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)  
Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)

Minn. Rules Parts 3501.1400-3501.1410 (Academic Standards for Physical Education)

20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)

***Cross References:***

MSBA/MASA Model Policy 104 (School District Mission Statement)

MSBA/MASA Model Policy 601 (School District Curriculum and Instruction Goals)

MSBA/MASA Model Policy 613 (Graduation Requirements)

MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)

MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)

MSBA/MASA Model Policy 617 (School District Ensurance of Preparatory and High School Standards) 298

MSBA/MASA Model Policy 618 (Assessment of Student Achievement)

MSBA/MASA Model Policy 619 (Staff Development for Standards)

MSBA/MASA Model Policy 620 (Credit for Learning)



## INDEPENDENT COUNTY/PROFESSIONAL SERVICE AGREEMENT

This Agreement is entered into by and between the Goodhue County Educational District #6051, 395 Guernsey Lane, Red Wing, MN 55066 (hereafter “District”) and Fernbrook Family Center, 2575 Harvest Lane Owatonna, MN 55060, (hereafter “Contractor”).

### RECITALS

WHEREAS, the District, wishes to purchase the services of Contractor for Mental Health Services and Supports to Students and Indirect/Consultative Support into Planning Pre-interventions; and

WHEREAS, there are funds available for the purchase of these services;

NOW THEREFORE, in consideration of the mutual undertakings and agreements hereinafter set forth, the District, and the Contractor agree as follows:

#### 1. TERM AND COST OF THE AGREEMENT

This contract shall be in effect from the date of execution by all parties, or from July 1, 2021, and shall continue in effect until June 30, 2022. All of the agreed upon services are available to the District at with or without the service being included in an individual educational plan.

Services and staff provided in this agreement includes 3.0 FTE (1.0 Qualified Mental Health Professional (QMHP), 2.0 Mental Health Practitioner (MHP)). Clinical staff are expected to follow the school calendar for a total of 196, 8 hour days (186 student and teacher work days and 10 additional school based CTSS specific training and program development days) to provide Mental Health services to the students enrolled at Goodhue County Special Education District located at 395 Guernsey Lane, Red Wing, MN 55066.

Students shall receive services as deemed appropriate within the setting. District shall complete the CTSS application, choosing the “Contract CTSS” option, and obtain reimbursement for services as defined on the IEP.

Mental health services needed in supplement or in place of identified positions will be invoiced at the following rates:

- \$300 per Standard Diagnostic Assessment
- \$70 per hour for MHP- IEP Services
- \$160 per hour for QMHP/CT- IEP Services

Salaries and Benefit costs for the 2021-2022 school year will amount to a maximum total District cost of \$311,114.72.

**Extended School Year (ESY):** When a student’s IEP team determines extended school year services are needed and those needs include mental health services, the District shall coordinate the needed staff for provision of these services with the appropriate Contract person. Staff can apply for an ESY position with the District. The District will assign staff as needed and invoice Contractor for the service time. The District shall be responsible for student transportation to school ESY programs.

Contracted ESY program services will be invoiced for via a separate invoices and per the following fee schedule. Dates of programming are yet to be determined, though are estimated at 3-4 weeks in July or Aug. Staff/client ratios are yet to be determined by student number and need.

Fee Schedule:

QMHP- \$50.78 per hour

MHP- \$42.85 per hour

**Direct Services Available**

Diagnostic Assessment

Standard

Explanation of Findings

Psychotherapy

Individual

Family

Group

Psychoeducation

Psychotherapy for Crisis

Skills Training

Group

Family

Individual

Crisis Assistance

Family Support Groups

Service Plan Development

Scoring and Administering of Standardized Measure

**Indirect Services Available:**

Individual Educational Plan Team Meetings

Staff Training and In-service

Formal and Informal Consultation

Pre-Referral Intervention

School team/Student Support Meetings

**2. SERVICES TO BE PROVIDED AS PER ATTACHED EXHIBIT(S)**

Services shall be provided in accordance with the criteria set forth in the attached Exhibit(s):  
[Attachment of the Professional Service Agreement Contract Year: July 2021-June 2022]

The Contractor guarantees all data, services and material supplied conform to the District's specifications and against inferiority as to specification, such guarantee shall be unconditional.

### **3. PAYMENT FOR SERVICES**

Payment for services shall be made directly to the Contractor after completion of services upon the presentation of a claim in the manner provided by the 15th day of the following month.

In the event this Agreement is terminated, Contractor shall be entitled to payment, determined on a pro rata basis, for services satisfactorily performed.

To the fullest extent permitted by law, Contractor and District (1) waive against each other, and all the other's employees, officers, directors, agents, insurers, partners, and consultants, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to the Agreement Services, and (2) agree that Contractor's total liability to District under this Agreement shall be limited to \$25,000, or the total amount of compensation received by Contractor, whichever is greater.

Contractor certifies that payment for purchased services will be in accordance with rates of payment which do not exceed amounts reasonable and necessary to assure quality of services and, if the services are being purchased from another public agency, the cost reasonably assignable to such services.

For final payment, Contractor shall comply with all requirements contained in Minnesota Statute. §290.92 regarding the withholding of taxes and wages. Contractor shall submit documentation of compliance with its claim for final payment. A certificate by the Minnesota State Commissioner of Revenue will satisfy this requirement (Form IC-134).

### **4. BONDS**

If required and contemporaneous with the execution of this Agreement, Contractor agrees to provide payment and performance bond for the District pursuant to Minnesota Statute §§375.21 & 574.26 and in equal to or greater than the Contract amount. Said bonds shall guarantee the faithful performance of all obligations required of Contractor under terms of this Contract, including payment of labor and material.

### **5. INDEPENDENT CONTRACTOR**

A. Contractor is to be and shall remain an independent contractor with respect to any and all work performed under this Contract. Nothing contained in this Agreement is

intended or should be construed as creating the relationship of co-partners or joint ventures with the County. No tenure or any rights including worker's compensation, unemployment insurance, medical care, sick leave, vacation leave, severance pay, PERA, or other benefits available Contractor's employees, including indemnification for third party personal injury/property damage claims, shall accrue to the Contractor or employees of the Contractor performing services under this Agreement.

- B. Contractor acknowledges and agrees that no withholding or deduction for State or Federal income taxes, FICA, FUTA, or other, will be made from the payments due Contractor and it is Contractor's sole obligation to comply with all federal and state tax laws.
- C. Contractor shall at all times be free to exercise initiative, judgment and discretion as to how to best perform or provide services identified in this Agreement.
- D. Contractor is responsible for hiring sufficient workers to perform the services required by this Agreement and withholding taxes and paying all other employment tax obligation on their behalf.
- E. The Contractor is solely responsible for supervision, control and direction of the Contract personnel utilized to provide the services under this agreement.

## **6. INDEMNIFICATION AND INSURANCE**

Each party shall be liable for its own acts to the extent provided by law and hereby agrees to indemnify, hold harmless and defend the other, its officers and employees against any and all liability, loss, costs, damages, expenses, claims or actions, including attorney's fees which the other, its officers and employees may hereafter sustain, incur or be required to pay, arising out of or by reason of any negligent act or omission of the party, its agents, servants or employees, in the execution or performance or failure to adequately perform its obligations pursuant to this Agreement.

It is understood and agreed that the District's and the Contractor's liability shall be limited by the provisions of Minnesota Statute § 466 and/or other applicable law.

Contractor further agrees that in order to protect itself as well as the District under the indemnity provision set forth above, it will at all times during the term of this Agreement keep in force liability limits in compliance with Minnesota Statutes, Section 466 or:

- A. Commercial General Liability Insurance Policy with minimum limits of \$1,500,000 combined single limit (CSL), with coverage pertaining premise operations. In the event Combined Single Limits Coverage is not secured by the County, the minimum limits apply:
  - \$3,000,000 Aggregate
  - \$3,000,000 Products and Completed Operations Aggregate
  - \$1,500,000 Personal Injury and Advertising Injury
  - \$1,500,000 Each Occurrence
  - \$ 100,000 Fire Damage Limit

\$ 5,000 Medical Expense

The policy should be written on an “occurrence” basis and not a “claims-made” basis.

- B. Automobile Liability Insurance including owned, non-owned, and hired vehicles in an amount not less than \$1,500,000 combined single limit (CSL) for total bodily injuries and/or damages arising from any one accident.
- C. Professional Liability Insurance (when required) the following minimum limits apply:
  - \$3,000,000 Aggregate
  - \$1,500,000 per claim
- D. Excess Umbrella Liability Policy will be additionally required if any of the above policies have lower limits than stated.
- E. Worker’s Compensation Insurance.
- F. Prior to the effective date of this Agreement, and as a condition precedent, the Contractor will furnish the District with an original Certificate of Insurance listing the District as an "Additional Insured" in all coverage areas including Excess Umbrella Liability or Excess Umbrella follows form language except Worker’s Compensation and Professional Liability.

**7. DATA PRIVACY/DATA OWNERSHIP**

- A. Data Practices.

All data collected, created, received, maintained, or disseminated in any form, for any purposes by the activities of Contractor because of this contract is governed by the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as amended, the Minnesota Rules promulgated pursuant to Chapter 13. The person responsible for release of all data under this Agreement shall be the Director of Special Education of the District employee identified in provision 10.
- B. Health Insurance Portability and Accountability Act (HIPAA – 45 C.F.R. §§160,162,164)

If under this Agreement the exchange of Protected Health Information in any form is anticipated the Contractor shall comply with all regulatory obligations including signing any required agreements (e.g., Business Associate Agreement). Such Agreements shall be attached to and incorporated into this Agreement.
- C. Release.

No educational data may be released by the Contractor to a third party without the express consent of the District’s representative as indicated below – this includes any media relations.
- D. Ownership.

All reports, files, and records relating to the business of the District, whether prepared by the Contractor or otherwise coming into its possession, shall remain the exclusive property of the District. Forms, documents, or other inventions created by the Contractor prior to or while under this Agreement outside of

reports completed to comply with Contractor's obligations per this Agreement are the property of the Contractor.

## **8. RECORDS: AVAILABILITY AND RETENTION**

Pursuant to Minnesota Statute §16C.05, subd. 5, the Contractor agrees that the District, the State Auditor, or any of their duly authorized representatives at any time during normal business hours and as often as they may reasonably deem necessary, shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, records, et., which are pertinent to the accounting practices and procedures of the Contractor and involve transactions relating to this Agreement. Contractor agrees to maintain these records for a period of six years from the date of termination of this Agreement. Any educational data may be retained for a longer period, as the District may determine in accordance with applicable law and policy.

## **9. MERGER AND MODIFICATION**

- A. It is understood and agreed that the entire Agreement between the parties is contained herein and that this Agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter. All items referred to in this Agreement are presumed to be incorporated or attached and are deemed to be part of this Agreement. Where the incorporated terms differ with the terms of this Agreement, the terms of this Agreement shall control.
- B. Any material alteration, modification, or variation shall be reduced to writing as an amendment and signed by the parties.

## **10. DEFAULT AND CANCELLATION**

- A. If the Contractor or District fails to perform any of the provisions of this Agreement or so fails to administer the work as to endanger the performance of the Agreement, this shall constitute default. Unless the Provider's default is excused by the District/Contractor, the District/Contractor may, upon written notice to the District's/Contractor's representative listed herein, cancel this Agreement in its entirety as indicated in (10 B.) below.
- B. This Agreement may be cancelled with or without cause by either party upon thirty (30) days written notice.
- C. Representatives for each of the parties to this Agreement are as listed below:

### **District**

Cheryl Johnson, Executive Director  
395 Guernsey Lane  
Red Wing, MN 99066  
651-388-4441

### **Contractor**

Ashley Kimmell, School Based Services Specialist

P.O. Box 977  
Owatonna, MN 55060  
507-446-0431 ext. 265

- D. The District and the Contractor agree to attempt to resolve quickly all matters related to uncontrollable circumstances and use all reasonable efforts to mitigate its effects.

**11. SUBCONTRACTING AND ASSIGNMENT**

- A. Contractor shall not enter into any subcontract for the performance of any services contemplated under this Agreement without the prior written approval of the District and subject to such conditions and provisions as the District may deem necessary. The Contractor shall be responsible for the performance of all Subcontracts. Any agreement between the Contractor and any subcontractor shall obligate the subcontractor with the general terms of this Contract.
- B. No party may assign or transfer any rights or obligations under this Agreement without the prior consent of the other Parties and a fully executed Assignment Agreement, executed and approved by the same parties who executed and approved this Agreement, or their successors.

**12. NONDISCRIMINATION**

During the performance of this Agreement, the Contractor agrees to the following: No person shall, on the grounds of race, color, religion, age, sex, disability, marital status, sexual orientation, public assistance status, criminal record, creed or national origin be excluded from full employment rights in, participation in, be denied the benefits of or be otherwise subjected to discrimination under any and all applicable Federal and State laws against discrimination.

**13. HEALTH AND SAFETY**

The Contractor shall be solely responsible for the health and safety of its employees and subcontractor's employees in connection with the services performed in accordance with this Agreement. The Contractor shall ensure that all employees, including those of all subcontractors, have received training required to properly and safely perform services outlined in this Agreement. Such training is to include, but not be limited to, all applicable sections of the State and Federal Occupation, Safety and Health Administration (OSHA) laws, Superfund Amendments and Reauthorization Act (SARA), Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Uniform fire Code and/or any other applicable health and safety regulations. Upon the request of the District, the Contractor shall provide copies of any licenses and/or training records for Contractor and/or Contractor's employees or subcontractor's employees who perform services pursuant to this Agreement.

**14. NONWAIVER, SEVERABILITY & APPLICABLE LAWS**

- A. Nonwaiver.

Nothing in this Agreement shall constitute a waiver by the District of any statute of limitations or exceptions on liability. If the District does not enforce any provision of this Agreement, that failure does not waive the provision or its right to enforce it.

**B. Severability.**

If any part of this Agreement is rendered void, invalid or unenforceable, by a court of competent jurisdiction, such rendering shall not affect the remainder of this Agreement unless it shall substantially impair the value of the entire Agreement with respect to either party. The parties agree to substitute for the invalid provision a valid provision that most closely approximates the intent of the invalid provision.

**C. Applicable Laws.**

The Laws of the State of Minnesota shall apply to this Agreement. The Contractor shall abide by all Federal, State, or local laws, statutes, ordinances, rules and regulations now in effect or hereinafter adopted pertaining to this Contract or to the facilities, programs and staff for which Contractor is responsible.

**15. SECTION HEADINGS**

The section headings contained in this Agreement are for reference purposes only and shall not affect the meaning or interpretation of this Agreement.

**16. THIRD PARTIES**

This Agreement does not create any rights, claims or benefits inuring to any person that is not a party hereto nor create or establish any third party beneficiary.

**17. CONFLICT OF INTEREST**

Contractor agrees that it will not contract for or accept employment for the performance of any work or services with any individual, business, partnership, corporation, government, governmental unit or any other organization that would create a conflict of interest in the performance of its obligations under this Contract.

**18. PREVAILING WAGE**

Employees, laborers subcontractors of the Contractor pursuant to this Agreement working or receiving employment and training services for which financial assistance, including grants, loans and tax abatement to a person engaged in manufacturing or sale of goods and services as defined by Minnesota Statue § 116J.871, subdivision 1(c) and is provided by the State of Minnesota shall be paid the prevailing wage as defined by Minnesota Statue § 177.42, subdivision 6.

District and Contractor, having signed this Agreement and pursuant to the proper District and Contractor officials having signed this Agreement, the parties hereto agree to be bound by the provisions herein and attached.

Education District # 6051  
STATE OF MINNESOTA

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Jon Huemoeller MSW, LICSW      Date  
CEO, Fernbrook Family Center

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Chairperson, School Board      Date

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Division Director/Designee      Date



**GOODHUE COUNTY ED DISTRICT**  
**Budget / Fund Balance Overview (BUDGET)**

FY 2021-22 Preliminary Budget

<b>General Fund - 01</b>	<b>Beginning</b>				<b>End of Year</b>	<b>Net Increase</b>
	<b>Fund Balance</b>	<b>Revenues</b>	<b>Expenditures</b>	<b>Transfers</b>	<b>Proj. Balance</b>	<b>or Decrease</b>
<b>422 Unassigned Fund Balan</b>	1,252,231	13,814,508	14,965,633	917,875	1,018,981	(233,250)
	9.64%				6.21%	
<b>Restricted</b>						
434 Area Learning Center	-	1,238,485	1,238,485	-	-	-
467 Long-Term Facilities Maint	(15,353)	117,806	117,806	-	(15,353)	-
472 Medical Assistance	-	76,981	76,981	-	-	-
<b>Subtotal Restricted</b>	(15,353)	1,433,272	1,433,272	-	(15,353)	-
<b>Assigned Funds</b>						
462 Assigned	13,422,003	-	-	(917,875)	12,504,128	(917,875)
Assigned - 2020 COP Proceeds	-	-	-	-	-	-
<b>Subtotal Assigned - 462</b>	13,422,003	-	-	(917,875)	12,504,128	(917,875)
<b>Total All Funds:</b>	<b>14,658,881</b>	<b>15,247,780</b>	<b>16,398,905</b>	<b>-</b>	<b>13,507,756</b>	<b>(1,151,125)</b>



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**CANNON FALLS PUBLIC SCHOOLS**

**FY 22 BILL FOR SERVICES**

PRELIMINARY MAY 2021

<b>SPECIAL EDUCATION SERVICES</b>									
		FTE	ANNUAL AMT	INVOICED TO DATE	REMAINING PER MONTH	FIN	OBJ	REV	SOURCE
<b>ECSE</b>									
	Samantha Cromer	1.00	44,402.00	0.00	3,700.17	740	396	STATE	SP ED
	Benefits		7,787.00	0.00	648.92	740	397	STATE	SP ED
	Nicole Meyer	0.56	32,136.00	0.00	2,678.00	740	396	STATE	SP ED
	Benefits		6,537.00	0.00	544.75	740	397	STATE	SP ED
	Lindsay Woodard	0.09	10,253.00	0.00	854.42	740	396	STATE	SP ED
	Benefits		2,958.00	0.00	246.50	740	397	STATE	SP ED
	Substitutes		515.00	0.00	42.92	740	394	STATE	SP ED
<b>OT/PT SERVICES</b>									
	Monica Capra	0.16	10,477.00	0.00	873.08	740	396	STATE	SP ED
	Benefits		3,116.00	0.00	259.67	740	397	STATE	SP ED
	Teasha Archambault	0.30	19,316.00	0.00	1,609.67	740	396	STATE	SP ED
	Benefits		7,169.00	0.00	597.42	740	397	STATE	SP ED
	Arlie McLaren	0.15	8,655.00	0.00	721.25	740	396	STATE	SP ED
	Benefits		1,620.00	0.00	135.00	740	397	STATE	SP ED
	Nicole Yusten	0.48	23,973.00	0.00	1,997.75	740	396	STATE	SP ED
	Benefits		4,559.00	0.00	379.92	740	397	STATE	SP ED
<b>SPECIAL ED COORDINATOR</b>									
	Sharon Noble	1.00	88,829.00	0.00	7,402.42	740	305	STATE	SP ED
	Benefits		21,082.00	0.00	1,756.83	740	397	STATE	SP ED
<b>SPEECH LANGUAGE PATHOLOGIST</b>									
	Lynn Booth	0.40	32,122.00	0.00	2,676.83	740	399	STATE	SP ED
	Benefits		8,640.00	0.00	720.00	740	397	STATE	SP ED
<b>PSYCHOLOGIST</b>									
	Kristin Kirk	1.00	92,808.00	0.00	7,734.00	740	396	STATE	SP ED
	Benefits		17,623.00	0.00	1,468.58	740	397	STATE	SP ED
<b>SOCIAL WORK</b>									
	Janae Blakeslee	1.00	66,488.00	0.00	5,540.67	740	396	STATE	SP ED
	Benefits		12,047.00	0.00	1,003.92	740	397	STATE	SP ED
	Laura Burvee	1.00	60,884.00	0.00	5,073.67	740	396	STATE	SP ED
	Benefits		23,738.00	0.00	1,978.17	740	397	STATE	SP ED
<b>REGULAR EDUCATION SERVICES</b>									
<b>ENGLISH AS A SECOND LANGUAGE</b>									
	Casey O'Donnell	0.50	28,286.00	0.00	2,357.17	317	396	COMP	ED
	Benefits		8,638.00	0.00	719.83	317	397	COMP	ED
<b>INSTRUCTIONAL COACHING</b>									
	Catherine Stark	1.00	29,956.00	0.00	2,496.33	000	305	GEN	FUND
<b>COMMUNITY EDUCATION SERVICES</b>									
<b>SCHOOL READINESS</b>									
			0.00	0.00	0.00				
<b>OPERATIONS COSTS</b>									
	LEASE		140,022.00	0.00	11,668.50	000	370	LEASE	LEVY
	LTFM		17,340.69	0.00	1,445.06	000	390	LTFM	LEVY
	ADMINISTRATIVE		18,541.00	0.00	1,545.08	000	305	SUB	GRANT
	OPERATING FEE		32,760.00	0.00	2,730.00	000	305	GEN	FUND
<b>TOTAL</b>			<b>883,277.69</b>	<b>0.00</b>	<b>73,606.47</b>				

GOODHUE PUBLIC SCHOOL									
FY 22 BILL FOR SERVICES									
PRELIMINARY MAY 2021									
SPECIAL EDUCATION SERVICES									
		FTE	ANNUAL AMT	INVOICED TO DATE	REMAINING PER MONTH	FIN	OBJ	REV	SOURCE
EARLY CHILDHOOD									
	Sue Bodenhamer	0.20	13,497.00	0.00	1,124.75	740	396	STATE SP	ED
	Sarah Sperger	0.13	8,256.00	0.00	688.00	740	396	STATE SP	ED
	Lindsay Woodard	0.03	3,418.00	0.00	284.83	740	396	STATE SP	ED
	OPEN - Arendt R	0.08	4,934.00	0.00	411.17	740	396	STATE SP	ED
	Substitutes		515.00	0.00	42.92	740	396	STATE SP	ED
	Benefits		6,578.00	0.00	548.17	740	397	STATE SP	ED
OT/PT SERVICES									
	Monica Capra	0.05	3,274.00	0.00	272.83	740	396	STATE SP	ED
	Teasha Archambault	0.09	5,795.00	0.00	482.92	740	396	STATE SP	ED
	Katee Bowe	0.09	4,495.00	0.00	374.58	740	396	STATE SP	ED
	Mary Testen	0.06	3,394.00	0.00	282.83	740	396	STATE SP	ED
	Benefits		5,545.00	0.00	462.08	740	397	STATE SP	ED
SPECIAL ED COORDINATOR									
	Jennifer Marquardt	0.20	17,503.00	0.00	1,458.58	740	305	STATE SP	ED
	Benefits		3,199.00	0.00	266.58	740	397	STATE SP	ED
SPEECH									
	Lynn Booth	0.60	48,182.00	0.00	4,015.17	740	396	STATE SP	ED
	Benefits		12,958.00	0.00	1,079.83	740	397	STATE SP	ED
PSYCHOLOGIST									
	Makenna Holt	0.40	33,172.00	0.00	2,764.33	740	396	STATE SP	ED
	Benefits		13,824.00	0.00	1,152.00	740	397	STATE SP	ED
SOCIAL WORK									
	Kamie Lodermeier	0.50	28,299.00	0.00	2,358.25	740	396	STATE SP	ED
	Benefits		6,252.00	0.00	521.00	740	397	STATE SP	ED
REGULAR EDUCATION SERVICES									
ENGLISH AS A SECOND LANGUAGE									
	Anna Herman	1.00	64,388.00	0.00	5,365.67	317	396	COMP	ED
	Diane Jacobson	0.50	29,642.00	0.00	2,470.17	317	396	COMP	ED
	Benefits		30,056.00	0.00	2,504.67	317	397	COMP	ED
	Substitutes		927.00	0.00	77.25	317	396	COMP	ED
SOCIAL WORK									
	Kamie Lodermeier	0.50	28,298.00	0.00	2,358.17	000	396	GEN	FUND
	Benefits		6,252.00	0.00	521.00	000	397	GEN	FUND
INSTRUCTIONAL COACHING									
	Courtney Bonnin	1.00	29,956.00	0.00	2,496.33	000	305	GEN	FUND
COMMUNITY EDUCATION SERVICES									
ECFE									
	Cassandra O'Reilly		2,560.00	0.00	213.33	325	396	COMM	ED
	OPEN - Arndt M		5,870.00	0.00	489.17	325	396	COMM	ED
	Benefits		1,348.00	0.00	112.33	325	397	COMM	ED
SCHOOL READINESS									
			0.00	0.00	0.00				
OPERATIONS COSTS									
	LEASE		89,195.00	0.00	7,432.92	000	370	LEASE	LEVY
	LTFM		11,046.20	0.00	920.52	000	390	LTFM	LEVY
	ADMINISTRATIVE		5,794.00	0.00	482.83	000	305	SUB	GRANT
	OPERATING FEE		21,210.00	0.00	1,767.50	000	305	GEN	FUND
<b>TOTAL</b>			549,632.20	0.00	45,802.68				

KENYON-WANAMINGO PUBLIC SCHOOLS							
FY 22 BILL FOR SERVICES							
PRELIMINARY MAY 2021							
SPECIAL EDUCATION SERVICES							
	FTE	ANNUAL AMT	INVOICED TO DATE	REMAINING PER MONTH	FIN	OBJ	REV SOURCE
<b>EARLY CHILDHOOD</b>							
Karen Adams	1.00	64,388.00	0.00	5,365.67	740	396	STATE SP ED
Nicole Meyer	0.44	25,250.00	0.00	2,104.17	740	396	STATE SP ED
Lindsay Woodard	0.07	7,974.00	0.00	664.50	740	396	STATE SP ED
Benefits		24,855.00	0.00	2,071.25	740	397	STATE SP ED
Substitutes		3,605.00	0.00	300.42	740	394	STATE SP ED
<b>PARPROFESSIONALS</b>							
Annette Kraft	1.00	27,169.00	0.00	2,264.08	740	396	STATE SP ED
Benefits		4,522.00	0.00	376.83	740	397	STATE SP ED
Substitutes		721.00	0.00	60.08	740	394	STATE SP ED
<b>OT/PT SERVICES</b>							
Teasha Archambault	0.24	15,453.00	0.00	1,287.75	740	396	STATE SP ED
Arlie McLaren	0.12	6,924.00	0.00	577.00	740	396	STATE SP ED
Benefits		7,033.00	0.00	586.08	740	397	STATE SP ED
<b>SPEECH LANGUAGE PATHOLOGIST</b>							
OPEN - Lopus	1.00	74,346.00	0.00	6,195.50	740	396	STATE SP ED
Benefits		19,885.00	0.00	1,657.08	740	397	STATE SP ED
<b>NURSING SERVICES</b>							
OPEN - LTS Dahling	0.09	6,117.00	0.00	509.75	740	396	STATE SP ED
Benefits		1,739.00	0.00	144.92	740	397	STATE SP ED
<b>PSYCHOLOGIST</b>							
Kelsey Lemmon	0.80	60,878.00	0.00	5,073.17	740	396	STATE SP ED
Benefits		11,197.00	0.00	933.08	740	397	STATE SP ED
<b>ASST DIRECTOR</b>							
Amy Buchal	1.00	105,185.00	0.00	8,765.42	740	305	STATE SP ED
Benefits		23,780.00	0.00	1,981.67	740	397	STATE SP ED
<b>REGULAR EDUCATION SERVICES</b>							
<b>ENGLISH AS A SECOND LANGUAGE</b>							
Heather Zeissler	0.70	42,817.00	0.00	3,568.08	317	396	COMP ED
Benefits		8,316.00	0.00	693.00	317	397	COMP ED
Substitutes		2,060.00	0.00	171.67	317	394	COMP ED
Healthier Zeissler	0.30	18,350.00	0.00	1,529.17	000	396	OTHER SOURCE
Benefits		3,564.00	0.00	297.00	000	397	OTHER SOURCE
<b>NURSING</b>							
OPEN - LTS Dahling	0.83	55,052.00	0.00	4,587.67	000	396	GEN FUND
Benefits		15,645.00	0.00	1,303.75	000	397	GEN FUND
Travel - between sites		721.00	0.00	60.08	000	366	GEN FUND
<b>INSTRUCTIONAL COACHING</b>							
Laura McAnally / Cheryl Dah	1.00	29,956.00	0.00	2,496.33	000	305	GEN FUND
<b>COMMUNITY EDUCATION SERVICES</b>							
<b>ECFE</b>							
		0.00	0.00	0.00			
<b>SCHOOL READINESS</b>							
		0.00	0.00	0.00			
<b>OPERATIONS COSTS</b>							
LEASE		91,936.00	0.00	7,661.33	000	370	LEASE LEVY
LTFM		11,385.60	0.00	948.80	000	390	LTFM LEVY
ADMINISTRATIVE		14,002.00	0.00	1,166.83	000	305	SUB GRANT
OPERATING FEE		21,780.00	0.00	1,815.00	000	305	GEN FUND
<b>TOTAL</b>		<b>806,605.60</b>	<b>0.00</b>	<b>67,217.13</b>			

LAKE CITY PUBLIC SCHOOLS							
FY 22 BILL FOR SERVICES							
PRELIMINARY MAY 2021							
SPECIAL EDUCATION SERVICES							
	FTE	ANNUAL AMT	INVOICED TO DATE	REMAINING PER MONTH	FIN	OBJ	REV SOURCE
ECSE							
Sarah Sperger	0.42	26,672.00	0.00	2,222.67	740	396	STATE SP ED
Lindsay Woodard	0.09	10,253.00	0.00	854.42	740	396	STATE SP ED
Benefits		7,614.00	0.00	634.50	740	397	STATE SP ED
OT/PT SERVICES							
Monica Capra	0.16	10,477.00	0.00	873.08	740	396	STATE SP ED
Jayne Boeding	0.25	18,991.00	0.00	1,582.58	740	396	STATE SP ED
Arlie McLaren	0.15	8,078.00	0.00	673.17	740	396	STATE SP ED
Mary Testen	0.20	11,314.00	0.00	942.83	740	396	STATE SP ED
Benefits		14,422.00	0.00	1,201.83	740	397	STATE SP ED
PSYCHOLOGIST							
Brittany Liljevall	1.00	85,870.00	0.00	7,155.83	740	396	STATE SP ED
Michelle Lundberg Bogner	0.40	26,439.00	0.00	2,203.25	740	396	STATE SP ED
Benfits		22,327.00	0.00	1,860.58	740	397	STATE SP ED
SPEECH LANGUAGE PATHOLOGIST							
Stephanie Weisenbeck	1.00	73,220.00	0.00	6,101.67	740	396	STATE SP ED
Madeline Ocel	1.00	43,110.00	0.00	3,592.50	740	396	STATE SP ED
Benefits		34,669.00	0.00	2,889.08	740	397	STATE SP ED
ASL INTERPRETER							
Michelle Kremer	0.06	2,155.00	0.00	179.58	740	396	STATE SP ED
Tasha Neilson	0.10	1,901.00	0.00	158.42	740	396	STATE SP ED
Benefits		1,509.00	0.00	125.75	740	397	STATE SP ED
REGULAR EDUCATION SERVICES							
ENGLISH AS A SECOND LANGUAGE							
INSTRUCTIONAL COACHING							
OPEN - Betcher	1.00	29,956.00	0.00	2,496.33	000	305	GEN FUND
COMMUNITY EDUCATION SERVICES							
OPERATIONS COSTS							
LEASE		146,250.00	0.00	12,187.50	000	370	LEASE LEVY
LTFM		18,112.08	0.00	1,509.34	000	390	LTFM LEVY
ADMINISTRATIVE		15,451.00	0.00	1,287.58	000	305	SUB GRANT
OPERATING FEE		35,700.00	0.00	2,975.00	000	305	GEN FUND
<b>TOTAL</b>		<b>644,490.08</b>	<b>0.00</b>	<b>53,707.51</b>			

RED WING PUBLIC SCHOOLS							
FY 22 BILL FOR SERVICES							
PRELIMINARY MAY 2021							
SPECIAL EDUCATION SERVICES	FTE	ANNUAL AMT	INVOICED TO DATE	REMAINING PER MONTH	FIN	OBJ	REV SOURCE
<b>SPEECH PATHOLOGIST</b>							
Megan Senechalle	0.70	42,965.00	0.00	3,580.42	740	396	STATE SP ED
Benefits		12,360.00	0.00	1,030.00	740	397	STATE SP ED
Shannon Siepelmeyer	1.00	69,346.00	0.00	5,778.83	740	396	STATE SP ED
Benefits		18,079.00	0.00	1,506.58	740	397	STATE SP ED
Cori Pelletier	1.00	54,227.00	0.00	4,518.92	740	396	STATE SP ED
Benefits		22,215.00	0.00	1,851.25	740	397	STATE SP ED
Lindsay Woodard	0.27	30,758.00	0.00	2,563.17	740	396	STATE SP ED
Benefits		8,873.00	0.00	739.42	740	397	STATE SP ED
Karly Zyskowski	1.00	77,697.00	0.00	6,474.75	740	396	STATE SP ED
Benefits		19,701.00	0.00	1,641.75	740	397	STATE SP ED
OPEN	1.00	48,110.00	0.00	4,009.17	740	396	STATE SP ED
Benefits		15,403.00	0.00	1,283.58	740	397	STATE SP ED
<b>EARLY CHILDHOOD</b>							
Missy Carlson	1.00	61,170.00	0.00	5,097.50	740	396	STATE SP ED
Benefits		23,031.00	0.00	1,919.25	740	397	STATE SP ED
Substitutes		824.00	0.00	68.67	740	394	STATE SP ED
Travel		100.00	0.00	8.33	740	366	STATE SP ED
<b>OT/PT SERVICES</b>							
Monica Capra	0.46	30,121.00	0.00	2,510.08	740	396	STATE SP ED
Benefits		8,958.00	0.00	746.50	740	397	STATE SP ED
Alison Hanlin	1.00	65,488.00	0.00	5,457.33	740	396	STATE SP ED
Benefits		10,884.00	0.00	907.00	740	397	STATE SP ED
Katee Bowe	0.91	45,448.00	0.00	3,787.33	740	396	STATE SP ED
Benefits		14,268.00	0.00	1,189.00	740	397	STATE SP ED
Arlie McLaren	0.43	24,810.00	0.00	2,067.50	740	396	STATE SP ED
Benefits		4,642.00	0.00	386.83	740	397	STATE SP ED
Mary Testen	0.59	33,377.00	0.00	2,781.42	740	396	STATE SP ED
Benefits		9,912.00	0.00	826.00	740	397	STATE SP ED
Jayne Boeding	0.75	56,973.00	0.00	4,747.75	740	396	STATE SP ED
Benefits		19,307.00	0.00	1,608.92	740	397	STATE SP ED
<b>PSYCHOLOGIST</b>							
Molly Paulson	1.00	92,308.00	0.00	7,692.33	740	396	STATE SP ED
Benefits		29,172.00	0.00	2,431.00	740	397	STATE SP ED
Candis Rome	0.80	75,891.00	0.00	6,324.25	740	396	STATE SP ED
Benefits		14,159.00	0.00	1,179.92	740	397	STATE SP ED
Michelle Lundberg Bogner	0.60	39,658.00	0.00	3,304.83	740	396	STATE SP ED
Benefits		11,085.00	0.00	923.75	740	397	STATE SP ED
Alexis Ebert	1.00	58,005.00	0.00	4,833.75	740	396	STATE SP ED
Benefits		17,342.00	0.00	1,445.17	740	397	STATE SP ED
Carey Field	1.00	82,516.00	0.00	6,876.33	740	396	STATE SP ED
Benefits		26,309.00	0.00	2,192.42	740	397	STATE SP ED
<b>SOCIAL WORKER</b>							
Kaycee Tulip	1.00	45,052.00	0.00	3,754.33	740	396	STATE SP ED
Benefits		8,648.00	0.00	720.67	740	397	STATE SP ED
Ashley Nelson	1.00	55,472.00	0.00	4,622.67	740	396	STATE SP ED
Benefits		10,450.00	0.00	870.83	740	397	STATE SP ED
<b>DIRECTOR SPECIAL ED</b>							
Marcia Walker	1.00	115,423.00	0.00	9,618.58	740	305	STATE SP ED
Benefits		26,525.00	0.00	2,210.42	740	397	STATE SP ED
<b>ECSE 3-5 COORDINATOR</b>							
OPEN - Martin Oakes	0.42	37,685.00	0.00	3,140.42	740	396	STATE SP ED
Benefits		7,701.00	0.00	641.75	740	397	STATE SP ED
<b>DUE PROCESS SECRETARIES</b>							
Barb Calley	0.50	12,804.00	0.00	1,067.00	740	396	STATE SP ED
Benefits		2,174.00	0.00	181.17	740	397	STATE SP ED
Kris Jurgenson	0.10	5,191.00	0.00	432.58	740	396	STATE SP ED
Benefits		1,541.00	0.00	128.42	740	397	STATE SP ED
<b>ASL INTERPRETER</b>							
Michelle Kremer	0.07	2,514.00	0.00	209.50	723	396	STATE SP ED
Benefits		799.00	0.00	66.58	723	397	STATE SP ED
Tasha Neilson	0.10	1,901.00	0.00	158.42	723	396	STATE SP ED
Benefits		776.00	0.00	64.67	723	397	STATE SP ED
<b>REGULAR EDUCATION SERVICES</b>							
<b>ENGLISH AS A SECOND LANGUAGE</b>							
Jeimy Yusty Rojas	1.00	35,212.00	0.00	2,934.33	317	396	COMP ED
Benefits		7,103.00	0.00	591.92	317	397	COMP ED
<b>BUILDING ADMINISTRATION</b>							
OPEN - Martin Oakes	0.30	28,264.00	0.00	2,355.33	000	396	COMM ED
Benefits		6,107.00	0.00	508.92	000	397	COMM ED
Barb Calley	0.50	12,803.00	0.00	1,066.92	000	396	GEN FUND
Benefits		2,174.00	0.00	181.17	000	397	GEN FUND
Substitutes		850.00	0.00	70.83	000	305	GEN FUND
<b>GEN ED TEACHER</b>							
Brenda Houck	1.00	29,956.00	0.00	2,496.33	000	305	GEN FUND
<b>OPERATIONS COSTS</b>							
LEASE		322,025.00	0.00	26,835.42	000	370	LEASE LEVY
LTFM		39,880.63	0.00	3,323.39	000	390	LTFM LEVY
ADMINISTRATIVE		49,346.00	0.00	4,112.17	000	305	SUB GRANT
OPERATING FEE		76,500.00	0.00	6,375.00	000	305	GEN FUND
<b>TOTAL</b>		<b>2,220,368.63</b>	<b>0.00</b>	<b>185,030.72</b>			

ZUMBROTA-MAZEPPA PUBLIC SCHOOLS								
FY 22 BILL FOR SERVICES								
PRELIMINARY MAY 2021								
SPECIAL EDUCATION SERVICES								
	FTE	ANNUAL AMT	INVOICED TO DATE	REMAINING PER MONTH	FIN	OBJ	REV SOURCE	
<b>EARLY CHILDHOOD</b>								
Alicia Zorn	1.00	51,251.00	0.00	4,270.92	740	396	STATE SP ED	
OPEN - Nygaard	0.25	6,429.00	0.00	535.75	740	396	STATE SP ED	
Britnee Banitt	1.00	22,300.00	0.00	1,858.33	740	396	STATE SP ED	
Sarah Sperger	0.46	28,577.00	0.00	2,381.42	740	396	STATE SP ED	
Lindsay Woodard	0.10	11,392.00	0.00	949.33	740	396	STATE SP ED	
OPEN - Arendt R	0.27	16,651.00	0.00	1,387.58	740	396	STATE SP ED	
Substitutes		515.00	0.00	42.92	740	396	STATE SP ED	
Benefits		28,531.00	0.00	2,377.58	740	397	STATE SP ED	
Travel between Sites		100.00	0.00	8.33	740	366	STATE SP ED	
<b>OT/PT SERVICES</b>								
Monica Capra	0.17	11,132.00	0.00	927.67	740	396	STATE SP ED	
Teasha Archambault	0.32	20,604.00	0.00	1,717.00	740	396	STATE SP ED	
Arlie McLaren	0.16	9,232.00	0.00	769.33	740	396	STATE SP ED	
Nicole Yusten	0.52	25,970.00	0.00	2,164.17	740	396	STATE SP ED	
Benefits		17,624.00	0.00	1,468.67	740	397	STATE SP ED	
<b>ASL INTERPRETER</b>								
Tasha Neilson	0.40	7,605.00	0.00	633.75	740	396	STATE SP ED	
Michelle Kremer	0.27	9,698.00	0.00	808.17	740	396	STATE SP ED	
Benefits		6,189.00	0.00	515.75	740	397	STATE SP ED	
Substitutes			0.00	0.00	740	394	STATE SP ED	
<b>SPEECH LANGUAGE PATHOLOGIST</b>								
Megan Carlson	1.00	73,220.00	0.00	6,101.67	740	396	STATE SP ED	
Rebecca Nolan	1.00	82,404.00	0.00	6,867.00	740	396	STATE SP ED	
Benefits		39,457.00	0.00	3,288.08	740	397	STATE SP ED	
<b>ASSISTANT DIRECTOR SPECIAL ED</b>								
Wendy Ahren	0.50	54,183.00	0.00	4,515.25	740	305	STATE SP ED	
Benefits		12,484.00	0.00	1,040.33	740	397	STATE SP ED	
<b>NURSING SERVICES</b>								
Tiffany Boraas	0.10	5,739.00	0.00	478.25	740	396	STATE SP ED	
Benefits		1,676.00	0.00	139.67	740	397	STATE SP ED	
<b>PSYCHOLOGIST</b>								
Abby Bartelma	1.00	95,964.00	0.00	7,997.00	740	396	STATE SP ED	
Benefits		24,053.00	0.00	2,004.42	740	397	STATE SP ED	
<b>REGULAR EDUCATION SERVICES</b>								
<b>ENGLISH AS A SECOND LANGUAGE</b>								
Casey O'Donnell	0.50	28,286.00	0.00	2,357.17	317	396	COMP ED	
Substitutes		525.00	0.00	43.75	317	396	COMP ED	
Benefits		8,638.00	0.00	719.83	317	397	COMP ED	
<b>NURSING</b>								
Tiffany Boraas	0.90	51,647.00	0.00	4,303.92	000	396	GEN FUND	
Rachel Propst	1.00	25,472.00	0.00	2,122.67	000	396	GEN FUND	
Sally Rude	1.00	51,701.00	0.00	4,308.42	000	397	GEN FUND	
Substitutes		105.00	0.00	8.75	000	399	GEN FUND	
Travel Between Sites		300.00	0.00	25.00	000	397	GEN FUND	
Benefits		41,778.00	0.00	3,481.50	000	397	GEN FUND	
<b>BUILDING ADMINISTRATION</b>								
Wendy Ahren	0.50	54,182.00	0.00	4,515.17	000	396	GEN FUND	
Benefits		12,483.00	0.00	1,040.25	000	397	GEN FUND	
<b>INSTRUCTIONAL COACHING</b>								
Suzanne Griffin	1.00	29,956.00	0.00	2,496.33	000	305	GEN FUND	
<b>COMMUNITY EDUCATION SERVICES</b>								
<b>ECFE</b>								
OPEN - Nobach	0.40	23,729.00	0.00	1,977.42	325	396	COMM ED	
Benefits		3,938.00	0.00	328.17	325	397	COMM ED	
<b>SCHOOL READINESS</b>								
Nicole Morgan	1.00	25,079.00	0.00	2,089.92	344	396	SCHOOL READINE	
OPEN - Nygaard	0.75	19,288.00	0.00	1,607.33	344	396	SCHOOL READINE	
Benefits		12,854.00	0.00	1,071.17	344	397	SCHOOL READINE	
<b>OPERATIONS COSTS</b>								
LEASE		161,822.00	0.00	13,485.17	000	370	LEASE LEVY	
LTFM		20,040.57	0.00	1,670.05	000	390	LTFM LEVY	
ADMINISTRATIVE		17,865.00	0.00	1,488.75	000	305	SUB GRANT	
OPERATING FEE		39,900.00	0.00	3,325.00	000	305	GEN FUND	
<b>TOTAL</b>		<b>1,292,568.57</b>	<b>0.00</b>	<b>107,714.05</b>				



**GOODHUE CO ED DISTRICT  
2021-22 CASH FLOW**

**AS OF 5-21-21**

**JULY**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
7/1/2021	-	-	-	-	-	2,084,084.47
7/1/2021	-	-	-	-	-	2,084,084.47
7/9/2021	(191,147.21)	-	-	196,895.66	176,628.87	2,266,461.79
7/15/2021	(117,553.44)	(183,125.69)	198,472.70	-	-	2,164,255.36
7/20/2021	(563,115.92)	-	235,076.20	89,498.03	-	1,925,713.67
7/31/2021	(115,879.71)	(172,252.55)	90.66	-	-	1,637,672.07
<b>ENDING BALANCE</b>	<b>(987,696.28)</b>	<b>(355,378.23)</b>	<b>-</b>	<b>433,639.56</b>	<b>286,393.68</b>	<b>1,637,672.07</b>

**AUGUST**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
8/1/2021	-	-	-	-	-	1,637,672.07
8/4/2021	(80,281.57)	-	278,626.55	-	-	1,836,017.05
8/15/2021	(135,894.42)	(210,536.09)	-	340,092.50	224,579.24	2,054,258.28
8/17/2021	(301,880.60)	-	119,763.02	-	-	1,872,140.70
8/30/2021	(123,616.67)	(188,215.30)	704,783.61	193,417.03	-	2,458,509.37
	(641,673.26)	(398,751.39)	-	1,103,173.19	533,509.52	224,579.24
						<b>2,458,509.37</b>

**SEPTEMBER**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
9/1/2021	(112,545.22)	-	2,767.05	-	-	2,348,731.20
9/15/2021	(964,756.61)	(197,091.25)	140,322.95	89,498.03	-	1,416,704.31
9/17/2021	-	-	94,394.95	-	296,198.88	1,807,298.13
9/30/2021	(333,718.01)	(212,790.55)	240,819.53	193,417.03	-	1,695,026.12
<b>ENDING BALANCE</b>	<b>(1,411,019.84)</b>	<b>(409,881.81)</b>	<b>-</b>	<b>478,304.47</b>	<b>282,915.05</b>	<b>296,198.88</b>
						<b>1,695,026.12</b>

**OCTOBER**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
10/1/2021	-	-	72,254.47	-	-	1,767,280.59
10/9/2021	-	-	-	-	-	1,767,280.59
10/15/2021	(335,148.63)	(206,534.31)	-	71,598.42	145,271.86	1,442,467.93
10/20/2021	-	-	271,280.07	-	4,248.25	1,717,996.25
10/31/2021	(350,510.11)	(204,035.44)	331,775.89	211,316.63	323,055.56	2,029,598.78
<b>ENDING BALANCE</b>	<b>(685,658.74)</b>	<b>(410,569.74)</b>	<b>-</b>	<b>675,310.42</b>	<b>282,915.05</b>	<b>472,575.67</b>
						<b>2,029,598.78</b>

**NOVEMBER**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
11/1/2021	-	-	-	-	-	2,029,598.78
11/5/2021	-	-	1,045.44	-	-	2,030,644.22
11/15/2021	(248,426.67)	(200,964.39)	620,038.40	89,498.03	-	2,290,789.58
11/20/2021	(36,468.12)	-	269,757.60	-	-	2,524,079.06
11/30/2021	(136,059.90)	(201,917.69)	75.34	143,196.84	-	2,329,373.65
<b>ENDING BALANCE</b>	<b>(420,954.69)</b>	<b>(402,882.08)</b>	<b>-</b>	<b>890,916.77</b>	<b>232,694.87</b>	<b>-</b>
						<b>2,329,373.65</b>

**DECEMBER**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
12/1/2021	-	-	-	-	206,672.09	2,536,045.74
12/8/2021	(71,351.28)	-	205,000.35	-	18,534.41	2,688,229.22
12/15/2021	(134,023.91)	(199,086.51)	112,124.41	196,895.66	4,479.17	2,668,618.04
12/20/2021	(100,170.59)	-	248,223.65	-	-	2,816,671.10
12/31/2021	(131,736.75)	(202,678.23)	84.33	107,397.63	-	2,589,738.07

ENDING BALANCE	(437,282.53)	(401,764.74)	-	565,432.74	304,293.29	229,685.67	<b>2,589,738.07</b>
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**JANUARY**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
1/1/2022	(93,888.01)	-	-	-	-	2,495,850.06
1/8/2022	-	-	272,525.97	-	-	2,768,376.04
1/15/2022	(128,666.41)	(190,122.04)	-	178,996.05	-	2,628,583.63
1/20/2022	(704,215.65)	-	-	-	-	1,924,367.98
1/31/2022	(131,133.49)	(192,348.50)	268,090.04	143,196.84	-	2,012,172.88
ENDING BALANCE	(1,057,903.56)	(382,470.54)	540,616.01	322,192.89	-	<b>2,012,172.88</b>

**FEBRUARY**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
2/1/2022	(71,617.72)	-	-	-	-	1,940,555.16
2/15/2022	(130,061.05)	(197,138.73)	181,393.92	143,196.84	-	1,937,946.14
2/20/2022	(117,827.43)	-	-	-	260,252.09	2,080,370.80
2/28/2022	(133,393.18)	(196,369.78)	484,473.97	178,996.05	-	2,414,077.86
ENDING BALANCE	(452,899.38)	(393,508.51)	665,867.89	322,192.89	260,252.09	<b>2,414,077.86</b>

**MARCH**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
3/1/2022	(178,857.74)	-	-	-	-	2,235,220.12
3/15/2022	(134,364.74)	(203,222.97)	123,343.87	178,996.05	-	2,199,972.33
3/20/2022	(151,306.55)	-	276,329.96	-	-	2,324,995.74
3/31/2022	(32.95)	(193,133.70)	61.48	249,435.26	-	2,381,325.83
ENDING BALANCE	(464,561.98)	(396,356.67)	399,735.31	428,431.31	-	<b>2,381,325.83</b>

**APRIL**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
4/9/2022	(198,171.27)	-	358,312.00	-	-	2,541,466.55
4/15/2022	(400,237.25)	(206,816.80)	221,719.07	143,196.84	-	2,299,328.41
4/20/2022	-	-	-	-	292,786.04	2,592,114.45
4/30/2022	(175,562.62)	(194,405.17)	120,428.38	250,594.47	-	2,593,169.51
ENDING BALANCE	(773,971.14)	(401,221.98)	700,459.45	393,791.31	292,786.04	<b>2,593,169.51</b>

**MAY**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
5/1/2022	-	-	63,142.73	-	-	2,656,312.25
5/15/2022	(194,773.96)	(198,522.46)	-	178,996.05	-	2,442,011.88
5/20/2022	-	-	432,652.74	-	-	2,874,664.62
5/31/2022	(254,149.76)	(243,918.49)	271,506.59	178,996.05	-	2,827,099.01
ENDING BALANCE	(448,923.72)	(442,440.95)	767,302.06	357,992.10	-	<b>2,827,099.01</b>

**JUNE**

DATE	ACCOUNTS PAYABLE	PAYROLL	MISC. RECEIPTS	STATE AID	FEDERAL GRANT	RUNNING BALANCE
6/1/2022	-	-	167,624.97	-	-	2,994,723.98
6/15/2022	(209,994.02)	(207,582.18)	171,243.18	-	-	2,748,390.96
6/20/2022	(130,763.77)	-	221,100.62	178,996.05	-	3,017,723.87
6/30/2022	(125,607.90)	(197,614.19)	171,091.82	-	-	2,865,593.60
ENDING BALANCE	(466,365.69)	(405,196.37)	731,060.60	178,996.05	-	<b>2,865,593.60</b>

TOTALS	(8,248,910.80)	(4,800,423.01)	-	7,951,818.48	3,926,318.00	1,952,706.46	2,865,593.60
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- VII. **Other:**
- VIII. **Comments: Board/Director**
- IX. **Next Meeting Date:** June 24, 2021, location TBD.
- X. **Adjournment**